

EXHIBIT 21

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BLOG ABOUT US POOR MANAGEMENT QUALITY OF SERVICE MISPLACED PRIORITIES ANTI-WORKER RECORD MEDIA
 WORKERS HIGHER ED PARENTS EDUCATORS EN FRANÇAIS

Do Private Food Service Contractors Shortchange New Jersey?

Brad Levinson 11:19 AM - April 9, 2010 | [0 Comments](#)

A report released by the Clarion Group, in conjunction with SEIU Local 32BJ, has found that during the 2008-09 school year ten New Jersey schools districts "overpaid more than \$320,000 in payroll costs to private food service management companies," says the *Newark Star-Ledger*.

Reporter Bob Considine says that "the report indicates the charges Sodexo and Chartwells levied on schools for workers compensation and liability insurance exceeded the actual cost of obtaining the insurance."

The study's findings - of "overcharges for insurance, the withholding of rebates, and questionable bidding practices," could have been used "to purchase more than 4,600 new elementary school math textbooks." Worse, if what was found in the ten school districts is of any indication of what's happening in New Jersey's 378 districts, the "amount of taxpayer money being misappropriated would come to \$12 million" (*Hard to Swallow*).

Edison school board secretary Daniel Michaud, when asked for comment by Considine, was surprised and said he'd follow up with his district's food service provider for an explanation:

"If there's anything to check, believe me, we'll address it with them...and if there's any overcharging, I'll be going after them for it."

Considine highlights an instance where the West Orange school district "issued an undated 45-page bid guideline for the 2009-10 school year that required bidders to attend a tour of the district's food services facilities" and then submit proposals "three business days later for a contract that began on July 1."

The Clarion Group's Tom MacDermott, who researched the report, said that "the state recommends a 45-day period...that's probably a little excessive, but three days to put together a \$3 million piece of business is a little tough."

You can [read the Star-Ledger article here](#).

To read or download the report, *Hard To Swallow: Do Private Food Service Contractors Shortchange New Jersey Schools?*, [click here](#).

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Categories: Blog | Tags: 32bj, newark star-ledger, overcharge, overpaid, school, school budget, school districts, seiu, sodexo, sodexo

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EXHIBIT 22



NEWS

FOR MORE INFORMATION

Matt Painter: 212-388-3805

Matt Nerzig: 212-539-2882

Service Employees International Union FOR IMMEDIATE RELEASE

Wednesday, April 7, 2010

REPORT FINDS PRIVATE FOOD COMPANIES INCLUDING SODEXO AND CHARTWELLS MAY BE OVERCHARGING NEW JERSEY SCHOOL DISTRICTS \$12 MILLION

– Long Branch, Piscataway, West Orange and Seven Other Districts Included in the Report –

New Jersey—A new report finds private food service companies operating thousands of New Jersey public school cafeterias may be overcharging the state's school districts by \$12 million. The Clarion Group's report entitled "Hard to Swallow: Do Private Food Service Companies Shortchange New Jersey's Schools?" analyzes contracts and financial data in ten school districts that use Sodexo and Chartwells to manage their cafeterias.

"In a time of tightened budgets, New Jersey's schools need every tax dollar owed to them," said Marcelo Narvaez, father of a teenage son and member of 32BJ SEIU. "This money should be going to my son's education and providing nutritious food, not into the pockets of multi-billion dollar companies."

The report found significant problems in the districts studied, including:

- **Potential Overcharges for Workers Compensation and Liability Insurance.** The report raises serious questions about the amounts that Sodexo and Chartwells charge school districts for insurance costs. The report estimates that for the ten school districts studied, Chartwells and Sodexo overcharged a total of \$320,000. If the approximately 378 New Jersey school districts using private food service companies are also overcharged at the same rate, the total amount of taxpayer money being misappropriated would come to \$12 million, enough to purchase more than 5 million full-price grade school lunches.
- **Withholding Rebates and Other Discounts Due to Districts.** Federal law requires that food service management companies credit school districts any discounts or rebates they receive from wholesalers, but Sodexo's contracts with two districts—Piscataway and Long Branch—allow it to pocket a portion of these discounts.
- **Questionable Bidding Processes.** Despite these potential overcharges and problematic business practices, the studied school districts did not change food service providers when their contracts were out to bid—raising questions whether the process is truly competitive. Additionally, in some cases, the food service companies made the terms of their final contracts more profitable than the school district's original request for proposals.

The report calls for greater transparency for food service companies' finances. It also recommends districts to not allow food service management companies to write the terms of their contracts or perform their own audits.

“Even though New Jersey already doesn’t contribute as much as other states, Governor Christie has proposed \$3 million in cuts to the state’s child nutrition budget,” said Kevin Brown, NJ State Director of 32BJ SEIU. “By enacting the reforms called for in the report, we can promote the fiscal health of our state without diminishing the health of our children.”

The districts analyzed using Sodexo are: Long Branch, Piscataway, Southern Regional, West Windsor-Plainsboro, and West Orange. The districts using Chartwells are: Bergenfield, East Windsor, Edison, Hamilton, and Marlboro.

The Clarion Group is one of the nation’s preeminent food service consultancy agencies. Representing 8,500 working families in New Jersey—including 1,000 school cafeteria workers—32BJ SEIU commissioned the report.

To read the full report, go to: <http://www.seiu32bj.org/shortchange.pdf>.

###

EXHIBIT 23

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BLOG ABOUT US POOR MANAGEMENT QUALITY OF SERVICE MISPLACED PRIORITIES ANTI-WORKER RECORD MEDIA

WORKERS HIGHER ED PARENTS EDUCATORS **EN FRANÇAIS**

In New Orleans, Workers Testify Before City Council About Sodexo's Illegal Practices and Failure to Help With the City's Recovery

Chris Schwartz 5:06 PM - April 13, 2010 | [0 Comments](#)

Joined by a broad coalition of community and student supporters, Sodexo workers in New Orleans testified today before the City Council to protest the disturbing pattern of illegal behavior at sites where Sodexo workers are fighting for the right to come together to raise standards in a city hungry for good jobs.

"After five years I received two raises--one for 24 cents, the other for 12 cents--and now I make \$8.12 an hour which makes it hard even to pay my bills," said Anthony Thomas, a Sodexo worker at Tulane University. "Just because my coworkers and I are trying to create better jobs for everyone, Sodexo has threatened and illegally questioned my coworkers and that isn't right. I hope Sodexo plays a part in creating good jobs too."

Sodexo is one of the largest employers in the New Orleans region, and as the area leader in food service management sets employment standards for thousands of workers in the market. Both in New Orleans and around the world, Sodexo portrays itself as a responsible employer, pledging, for example, to help recovery efforts as the floodwaters receded in 2005. But almost five years later, workers testified today, Sodexo has failed to live up to its promises.

"Before the storm, I worked for Sodexo at the school district. In the aftermath, all Sodexo did was offer to give us a payout based on our vacation time," says Zella Dase, a food service worker at Loyola University. "I didn't have any vacation--and none of my coworkers that I know did either. I can't believe that they didn't offer to help us at all."

Although workers at Sodexo's unionized Recovery School District account generally fare better than their nonunion counterparts, some of them also earn wages low enough to qualify them for public assistance. These workers are preparing to fight for a better contract with Sodexo in the coming months.

- **23.8%:** Percentage of individuals in New Orleans below the poverty line
- **13.2%:** Percentage of individuals nationally below the poverty line
- **\$22,050:** Federal poverty line for a family of four
- **\$16,640:** Annual earnings of a Sodexo worker in New Orleans making \$8.00 an hour

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"I've worked for Sodexo for nearly 3 years, but I've been on food stamps for over a year now," said Zarassa Harris, a Sodexo custodian in the Recovery School District. "For lunch, my kids eat free. I think it's sad that I work for a huge, profitable food service company, yet my kids have to rely on the federal government to get lunch at school."

These sorts of low-wage jobs exacerbate the problems in a city that is in desperate need of good jobs and lasting economic development. Nearly one in four New Orleanians lives below the poverty line--almost double the poverty rate for the country as a whole.

At today's hearing, workers released a report on Sodexo's track record in New Orleans, *Hardship in the Big Easy: How Sodexo's practices leave New Orleans workers in poverty*. The report reveals that Sodexo Facilities management erased overtime from weekly time reports from time clocks every Wednesday or Thursday, stealing a total of \$22,000 from workers over the course of last year. Sodexo eventually had to pay back the money after workers put pressure on the company.

You can read a copy of the full report [by clicking here](#).

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EXHIBIT 24

From: Autumn Weintraub, Director [mailto:info@seiu.org]
Sent: Thursday, June 03, 2010 2:11 PM
To: Dorothy Marstaller
Subject: Is your food service provider eating into your budget?

Dear Dorothy

As school boards face huge budget deficits caused by dwindling tax revenues, school administrators are tempted to look to outsourcing companies like Sodexo for easy answers. But from the perspective of local communities, Sodexo's savings often prove to be a mirage.

Read the attached report [here](#) to see how Sodexo's business model—low-wage jobs that depress the tax base and in some cases force workers to rely on different forms of public assistance and charity to meet basic housing, nutritional, and healthcare needs—put additional pressure on local budgets and actually end up costing communities money.

Autumn Weintraub, Director
Campaign for Quality Services

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EXHIBIT 25

Out Loud:

Sodexo Workers From Seven Countries Speak Out On Human Rights

Advance Copy
Service Employees International Union
October 2010

Executive Summary

Around the world, Sodexo employs low-road employment practices: hiring poor workers, paying them the low wages, and at times even depriving workers of desperately needed income by failing to pay them for all the hours they work, denying overtime pay, and docking their pay for meals they don't eat and breaks they don't take. The business model that Sodexo employs keeps workers in poverty and locks their communities in seemingly endless cycles of poverty.

Meanwhile, Sodexo continues to report impressive profits, and publicly proclaims that it upholds high standards when it comes to human rights and labor practices. For example, the company says it "will not discriminate against any employee for engaging in union organizing activities or otherwise supporting a union," and endorses the United Nations Universal Declaration of Human Rights and the principles of the International Labour Organization.¹

But as the firsthand accounts of Sodexo workers interviewed for this report show, Sodexo may not be living up to those standards. In this report, workers at Sodexo sites in seven countries—Morocco, Colombia, Guinea, the Dominican Republic, India, Turkey, and the United States—discuss their experiences with Sodexo's employment practices. The report compares these workers' perceptions of actual Sodexo practices to the image it tries to portray of a company that supports economic opportunity and respects its workers' right to freedom of association.

As a global company, Sodexo faces many regulatory regimes and public pressures exposing it to various risks. In order for Sodexo to manage its operations effectively and to expand its business, the company depends, among other things, on public and governmental goodwill. Sodexo's record of good corporate citizenship is a valuable asset.² A failure to adequately manage labor relations could increase reputational risk, lower worker productivity, interfere with the company's ability to compete for public contracts, and ultimately impact financial and shareholder returns. Increasingly, institutional investors around the world look at the social performance of companies as one criterion to determine their investment decisions.

Sodexo Pays Poverty Wages All Over the World

Sodexo has consistently failed to live up to the standard set forth in the Universal Declaration of Human Rights that "everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity." For example:

- In **Guinea**, Sodexo workers who service the Simandou iron mine—which promises ore worth \$30 billion to \$40 billion over its operating life—report making as little as 33 cents (€0.25) per hour. Over the course of a month, that comes out to just \$78/€60.
- In the **Dominican Republic**, Sodexo workers at the Pubelo Viejo gold mine—which expects to generate revenues of \$32 billion over its lifetime—say they make as little as \$214.64 (€159.36) per month.
- In **Morocco**, an emerging financial and business hub where many French businesses have set up shop, Sodexo employees claim they end up working three to four hours without pay, which is a particular hardship since their wages hover just above the country's minimum wage (as little as \$251.77/€186.91 per month).
- In **India**, workers not only say they earn poverty wages—as low as \$71.30 (€52.38) per month—but also describe squalid conditions in Sodexo's company-provided housing.
- In **Colombia**, workers described salaries that are often no greater than the legal minimum wage of \$283.24 (€211.14) per month.
- In **Turkey**, workers claim that Sodexo pays them as little as the national minimum wage (\$469.93/€348.87), which the U.S. Department of State says did not provide a decent standard of living for a worker and family. The minimum wage does not even reach the “hunger threshold,” and is only about one-quarter of the poverty threshold as defined by a prominent labor union in the country.
- And in the **United States**, many Sodexo workers report that they make so little that they qualify for federal anti-poverty programs, further straining an already overburdened social safety net.

Sodexo Has Interfered With Workers' Right to Freedom of Association

Freedom of association—including the right to form trade unions—has been repeatedly acknowledged as a fundamental human right. Sodexo purports to support its workers' rights to join unions, but the workers interviewed for this report raised compelling concerns to the contrary, raising questions about Sodexo's professed commitments to human rights norms. For example:

- In **Colombia**, a country where efforts by workers to form a union have long been faced with harsh responses from employers, the Sodexo workers interviewed report that 16 people were perceived to have had their employment terminated for trying to form a union at the company's account at the National Chocolate Company.
- In the **United States**, Human Rights Watch recently issued a report that said, “Despite claims of adherence to international standards on workers' freedom of association, Sodexo has launched aggressive campaigns against some of its US employees' efforts to form unions and bargain collectively.” The National Labor Relations Board, which enforces the nation's labor law, has investigated several workers' allegations and charged Sodexo with unlawful anti-union behavior.
- In the **Dominican Republic** and **Morocco**, workers interviewed for this report were concerned that Sodexo has seemed to create an atmosphere of fear and intimidation when workers seek to form a union. For example, in the Dominican Republic, a group of workers at the Pueblo Viejo mine decided to organize a short work stoppage to bring the issue to the attention of management. Two days after the work stoppage, Carin Mieses, the main leader, says she was fired.

Sodexo Workers Are Not Always Paid for All the Hours They Work

Not only does Sodexo pay people wages less than the value of the work they perform, workers interviewed in several countries felt that they don't always even get paid for all the hours they work. For example:

- In **Colombia**, concerns about whether Sodexo was paying appropriate overtime was one of the issues that convinced workers to begin to organize a union at the National Chocolate Factory plant.
- In **Guinea**, some workers report that long, unpaid transportation times on the company's bus to their jobs at the Simandou mine—the only realistic way to get to the site without owning your own vehicle—adds an even greater hardship to an already difficult situation.
- Some workers also report concerns that they have not been paid for all the hours they worked in **Morocco**, the **Dominican Republic**, and **India**.

Sodexo Disrespects Poor Workers

- In **Guinea**, Sodexo workers report that all Guinean employees—including managers—eat in a separate canteen from the Europeans and other expatriate employees at the Simandou mine.
- In **Colombia**, the **United States**, **Morocco**, and **Guinea**, workers describe health and safety problems and allege that the company has been unresponsive and in some cases even threatening when they have raised these safety concerns with management.

Conclusion: A Global Path Forward for Sodexo

Firsthand accounts in this report suggest that a company's own code of conduct and stated commitment to key global standards of corporate responsibility—no matter how strong they look on paper—may fall short when there is no consistent, long-term mechanism for ensuring its successful implementation and enforcement at the worksite level. In the long run, we believe the only way to ensure that Sodexo adheres to responsible labor standards is through the negotiation of a global agreement with the Global Union Federation for its sector, the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUFA) that ensures all Sodexo workers have the right to organize trade unions free from company intimidation. Such an agreement would ensure that workers have access to the most efficient, effective means of creating and enforcing appropriate standards that comply with established global codes for labor and human rights

Sodexo Pays Poverty Wages All Over the World

The ability to earn a fair wage that allows an individual to support his or her family has been recognized as a fundamental human right. Article 23 of the United Nations' Universal Declaration of Human Rights states, for example, "Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity."³ The interviews conducted for this report suggest that in countries across the world, Sodexo may fail to meet this basic standard. While the company publishes numerous documents proclaiming its socially responsible values,⁴ Sodexo consistently employs low-road employment practices: hiring poor workers, then paying them the low wages keeping workers in poverty. This is not only locking their communities in seemingly endless cycles of poverty, but also endangers the long-term productivity of Sodexo's workforce and increases the risk of possible labor conflicts, such as strikes and other workplace actions.

Summary: Wages as described by Sodexo Workers interviewed in Selected Countries

Country	Lowest Wage According to Interviews	National Minimum Wage
Colombia	Salaries of \$283.24/€211.14 per month	\$283.24/€211.14 per month ⁵
Dominican Republic	\$214.64/€159.36 per month ⁶	Between \$138.39/€102.74 and \$227.12/€168.62 per month, depending on the size of the company ⁷
Guinea	\$78/€60 per month, which calculates to \$0.33/€0.25 per hour based on the worker's 48-hour workweek ⁸	None ⁹
India	\$71.30/€52.38 per month ¹⁰	Minimum wages vary by state and according to industry. In Gurgaon, where interviews were conducted, minimum monthly wages for unskilled workers were \$93.89/€68.99 per month, and for semi-skilled workers started at \$96.79/€71.11 per month. ¹¹
Morocco	\$251.77/€186.91 per month ¹²	\$1.19/€0.89 per hour. At the legally mandated 44 maximum workweek, that comes out to \$226.89/€169.69 per month. ¹³
Turkey	\$469.93/€348.87 ¹⁴	\$469.93/€348.87 ¹⁵
United States	\$7.50/€5.57 per hour ¹⁶ For a worker who works full time, total monthly pay at that rate is approximately \$1,300. ¹⁷	\$7.25/€5.38 per hour ¹⁸

Guinea

In the Republic of Guinea, a former French colony in West Africa, Sodexo provides a range of services—including security, grounds keeping, airport staff, administrative assistants, health and safety assistants, maintenance staff, manual laborers, warehouse staff, mechanics, and drivers¹⁹—at the Simandou iron ore mine. The mine is operated by global mining giant Rio Tinto, which is currently investing \$10 million a month in drilling and other services to support development of the mine, and expects that at least \$6 billion of additional investment will be needed to make the site fully operational.²⁰ Over its lifetime, the mine is expected to generate ore worth between \$30 billion and \$40 billion—more than 10 times Guinea's total current economic output.²¹ Simandou is owned by a joint venture of Rio Tinto and

Aluminum Corporation of China Limited (CHALCO), along with a 5 percent investment by the International Finance Corporation, an arm of the World Bank.²²

Despite the massive level of investment in the mining industry, Guinea remains one of the poorest countries in the world. The United Nations' Human Development Index ranks Guinea 170 out of the 182 countries on the list.²³ The World Food Programme rates Guinea as "alarming" on its Global Hunger Index, and reports that 24 percent of the population is malnourished.²⁴

The economic situation in the country has been made even more precarious by an unstable political climate. For instance, in December 2009 Human Rights Watch released a report that held Guinean government security forces responsible for the September 28, 2009, massacre and rapes of opposition group supporters gathered at a stadium in the nation's capital.²⁵

Sodexo workers at the Simandou iron mine in Guinea earn as little as 33 cents/€0.25 per hour.

Sodexo's wages only contribute to the region's poverty crisis. According to interviews conducted by the researchers in Guinea, the monthly wages paid to at least some Sodexo workers appear to range from \$58.50/€45 (450,000 GNF²⁶) to \$208 /€160 (1.6 million GNF²⁷). One worker interviewed reports making just 38 cents (US) per hour (in Euros, €0.29).²⁸ Another worker reports that to his knowledge, the standard rate of pay from some major subcontractors at the mine, including Sodexo, can be even less—\$3.25 (€2.41) per day for about 10 hours of work, an hourly wage of less than 33 cents per hour (€0.25).²⁹

The wages described by these workers are hardly enough to even afford the most fundamental human needs for food and shelter—a mud hut with a straw roof, a typical evening meal of rice and peanut sauce with some meat on occasion, the most basic medical care, a few household items.³⁰ The family budget below, based on families in the village of Moribadou, should be viewed as an absolute baseline for survival, not the threshold for the "existence worthy of human dignity" called for in the Universal Declaration of Human Rights. In an economy where jobs are scarce, and a worker may also need to help care for an extended family, expenses could be significantly higher.

Monthly Expense	Amount in Guinea Francs (GNF)	Amount in US Dollars	Amount in Euros
Rent	150,000	\$19.50	€15.00
Food	330,000	\$42.90	€33.00
Medical Costs	50,000	\$6.50	€5.00
Necessary Household Items	100,000	\$13.00	€10.00
Clothing for Children and Babies	10,000	\$1.30	€1.00
Total	640,000	\$83.20	€64.00

Interviews with Sodexo workers in Guinea tell the story. One Sodexo warehouse worker reports, "I am paid GNF 500,000 per month [\$65/€50], and I have 7 persons to feed in the family."³¹ A Sodexo security employee at the mine site says, "I earn 600,000 GNF [\$78/€60] per month for about 48 hours a week."³² Other reports of low wages include:

"I've had jobs with most of the major sub-contractors up at the site. Most of the companies have only offered me work on a daily basis. The standard rate with Sodexo is about 25,000 GNF [\$3.25/ €2.50] per day. For this kind of work, I'm expected to work 10 hours per day."

- Sodexo Day Laborer, currently unemployed³³

"I earn 800,000 GNF [\$104/€80] per month. I'm frightened sometimes to go home to my wife at the end of the month because she complains about the lack of money. It's extraordinary how much me and my co-workers argue with our wives over money; we just never have enough. Once all our expenses are taken care of, I don't even have 5,000 GNF [\$0.65/ €0.5] left to buy my wife a present."

-Sodexo Mechanic³⁴

Despite the low wages, several Sodexo workers interviewed believe they have no other options. "If I had another possibility, I would immediately quit Sodexo. I have it hard here; I cannot see my family who lives elsewhere," said one Sodexo warehouse worker. "If there was another place, I would go there. I have struggled too much for Sodexo."³⁵ Another Sodexo warehouse worker expresses a similar sentiment. "I want to earn a lot of money with my job in order to better prepare my children for the future," the worker says. "If I could find another job, I would quickly quit Sodexo, but since I can't presently, I am forced to remain with them because I have nowhere to go."³⁶

Morocco

From 1912 until 1956, Morocco was a French protectorate, and many economic ties remain between the two countries.³⁷ Morocco has become a financial hub for North Africa, and Sodexo has attracted clients that include French and other multinational corporations which set up operations in Casablanca and Rabat. (The company also provides services to government offices, hotels, and hospitals in Morocco.)³⁸

But the economic conditions of Sodexo workers in Morocco are dramatically different from those in France. Interviews with Sodexo workers in Morocco revealed that workers are typically paid very low salaries, some report that they seldom receive raises or other benefits, and often work under temporary contracts that limit job security.

Low Wages: According to a report by One World Research, commissioned by SEIU, the workers interviewed did not earn much more than Morocco's minimum wage of 2109.12 dirhams (dhs) gross per month (\$251.77/€186.91).³⁹ For example, a kitchen assistant in Rabat who has worked for Sodexo for five years said she is paid 2,150 dhs (\$256.65/€190.53) a month but this barely covers her basic needs such as rent, travel and medications. Another Sodexo employee who works as a waitress stated she takes home 2,000 dhs a month (\$238.74/€177.24) and often has to work other jobs just to survive.⁴⁰

A former head cook said he felt Sodexo exploits its workers, working them very hard for low wages. He commented on an ex-colleague's struggle to survive:

*"He is 50 years old and receives 2500 dhs (\$298.43/€221.55). He is married and has a daughter. His rent costs 1000 dhs (\$119.37/€88.62) and he spends 300 dhs a month (\$35.81/€26.59) for transportation to get to work. What is left from his salary is almost nothing."*⁴¹

Other workers complained of arbitrary cuts to their monthly wage at times. A Sodexo employee who works as a "garde manger" (a type of cook responsible for cold dishes) stated:

*"In July 2010, they took 250 dhs (\$29.84/€22.16) from my salary. The supervisor explained that it is due to a fall of activity because of the summer holidays."*⁴²

Another worker believes that he was not always receiving the correct wages:

*"Sometimes, twice this year already, I have been paid for only 24 days of work when I actually worked for 26 or 27. I complain about this to the supervisor but nothing happens so now I don't even bother complaining."*⁴³

As well as these arbitrary cuts, some workers reported having 300 dhs or more (\$35.81/€26.59) a month taken out of their pay for "*prime de panier*"—the cost of lunch that is supposed to be provided to them at work. Workers reported that not only do they not always receive this food, but they also sometimes don't even get a lunch break.⁴⁴ These deductions can amount to a significant portion of a worker's total. For example, one pay stub obtained from a Sodexo worker during the interview process showed that the "*déduction nourriture*" came to 390 dirham for a single pay period during which the worker made just 2,028.62 dirham.⁴⁵ That comes out to nearly 20 percent of a worker's total pay. In this instance, it reduces the worker's effective hourly pay to 8.59 dirham—below the minimum wage of 10 dirham per hour.

Raises: Moroccan law requires that workers receive specified raises ("*prime d'ancienneté*") after they have worked for a company for two years (5%), five years (10%), 12 years (15%), 20 years (20 %) and 25 years (25%), regardless of whether they are on temporary or permanent contracts.⁴⁶ The workers interviewed for the One World Research report told interviewers that they had not received the raises to which they believe they were entitled by law. For instance a kitchen assistant told us he had not received a raise since he started. "My pay is 2000 DH a month and I have not had a raise in the five years I have worked for Sodexo," he said. "I complained to my supervisor about this but nothing changed." Other workers interviewed confirmed they had not received raises after years employment by Sodexo.⁴⁷

Vacation and Sick Time: Some of the workers interviewed felt they had been made to take the month of Ramadan off as their annual vacation time for which they were only paid 12 days of holiday pay. One worker stated he was not paid anything at all for the time off he had had to take for the month of Ramadan.⁴⁸

One worker also claimed that Sodexo employees perceived that they had sometimes been punished for taking sick time. "It is a problem to miss work for health problems: when you get back to work, the supervisor gives you extra work, and if it happens 3 times during a month, the supervisor moves the person to another site as a punishment," the worker said. "We do not get paid when missing work for health problems. It is 100 dhs/day (\$11.94/€8.66) cut from their salary for each day missed."⁴⁹

Temporary Contracts: Many of the workers interviewed had been on temporary contracts since they started at Sodexo—a reality that tends to limit the ability of a worker to raise concerns about working conditions or potential violations of the law, and adds even more instability to an already precarious economic situation for workers and their families. For example, a Sodexo dishwasher reported that he had worked for Sodexo since 2002 and had his temporary contract renewed four times:

*"Although the health and other benefits seem to be the same I have noticed that people working with a permanent contract are less exploited than those working with a temporary contract because they do not fear that the company will not renew their contract. Those who have a temporary contract are under more pressure and cannot complain because of a fear that the company will not renew their contract."*⁵⁰

Another worker who has been employed by for Sodexo for seven years stated that he has had his temporary contract renewed 5 times. "Working with a temporary contract puts workers under a lot of pressure. They can be exploited and cannot complain by fear to see their contract not being renewed," the worker says. An assistant cook, who says he has worked for Sodexo for seven years and his temporary contract has been renewed five times, also said he experienced the same thing: "I would

prefer to be on a permanent contract because with a temporary contract I cannot get a loan from the bank to become a house owner.”⁵¹

Dominican Republic

In the Dominican Republic, Sodexo employs several hundred workers to do catering and facilities management at the Pueblo Viejo gold mine, which is currently under construction by a joint venture of Barrick Gold (which holds a 60 percent interest) and Goldcorp (which owns a 40% interest). The mine is expected to produce 23.7 million ounces of gold over its 25-year life.⁵² At the current price of gold,⁵³ that translates into revenues of approximately \$32 billion (€24 billion).

The Pueblo Viejo mine is expected to produce \$32 billion in gold over its lifetime, but Sodexo workers at the mine earn barely enough to survive.

But despite the tremendous wealth that the mine will generate, Sodexo workers at the site told interviewers that they are paid poverty wages. One food service worker at the mine reports that she makes 8,400 pesos per month (\$225.37/€167.33), but she claims she sometimes hadn't received all the money to which she believes she was entitled.

One worker who provides housekeeping services at the mining camp, reports, “Before, we used to make 10,000 pesos [per month] (\$268.30/€199.20), now we make 8,000 pesos (\$214.64/€159.36).” An additional 500 pesos (\$13.42/€9.96) is deducted for health insurance. “All we want is... a pay increase, that's what we want,” she said. “Pay increases and more employees to help because of the amount of work we have.”⁵⁴

Another housekeeping worker who says she also earns 8,000 pesos per month said, “Many people ask me, ‘How much do you earn?’ I am embarrassed to say! Many of my friends, when I tell them about my paycheck, they won't believe it!... But I earned my own pesos. 8,000 pesos is nothing for a mine, where we work a lot, because it is a multimillionaire company... Sodexo is a millionaire company.”⁵⁵

The worker continues, “When I started they told me, ‘You are going to earn minimum wage; you either sign it or leave it. The minimum wage is 8,000 pesos, but it will go up.’”⁵⁶ She said it is hard to provide for her family on these wages. “I had to look for loans because the salary was not enough. I have a son to provide for, I pay 3,500 pesos (\$93.91/€69.72) for the house, 3,500 to the bank.”⁵⁷

India

Sodexo has identified India as one of its most important growth markets. As of 2007, the last time Sodexo discussed India in detail in its annual financial statements, the company said it had built up an operation of 9,000 employees at 311 worksites in 26 cities since it entered the market in 1997. From 2002 to 2007, the company's average annual growth rate has been 102 percent.⁵⁸ Those numbers have almost certainly grown since then. In 2009, Sodexo acquired Radhakrishna Hospitality Services Group, which services remote sites.⁵⁹ In addition, Sodexo has food and facilities management clients in the corporate, education, government, and health care sectors. Sodexo also operates a substantial service voucher business that serves both corporate and government clients.⁶⁰

Companies such as Sodexo have been able to take advantage of the growing Indian economy to expand its business, but income inequality in India is, in fact, on the rise.⁶¹ The conditions of the workers fueling the economic boom lag far behind the profits of the multinational corporations—Sodexo's front-line workers often earn poverty wages.

Sodexo's business in India is growing at a rate of 100 percent per year, yet many of its workers there live in inadequate housing and must endure poverty wages.

Take the case of one worker interviewed for this report, who works as a steward at a hospital in Gurgaon, a suburb of Delhi, and says he earns a monthly salary of just \$71.30/€52.38⁶² (3200 Indian Rupees, or INR⁶³). Minimum wages in India vary by state and according to industry. In Gurgaon, where these interviews were conducted, minimum monthly wages for unskilled workers were 4,214.23 rupees (\$93.89/€68.99) per month, and for semi-skilled workers started at 4,344.23 rupees (\$96.79/€71.11)⁶⁴

This worker told interviewers he traveled to Delhi to work for Sodexo from Uttar Pradesh, about 300 kilometers (200 miles) away, and claims he had a promise from the company that they would pay all the costs of housing. But when he arrived, he said, living conditions were poor, and workers found that they had to pay for the costs of basic utilities like electricity and water out of the meager salary. "My room does not even have a ceiling fan. Living here is like hell," he described. "Five to six workers have to share this 6x8 feet room. Electricity is very often not there. Imagine living without even a fan in soaring temperatures of 45-46 degrees Celsius [113-114 degrees Fahrenheit]."⁶⁵

Conditions at the workplace are hardly any better, this worker claims. "The work pressure is intense and we work without any break. We are not even provided lunch time. If something gets left only then we eat and that too in haste often standing in a corner," he says. "Many times we only have toilets as a dining place. They do not allow carrying [a] cell [phone]. No call from outside is allowed either. If something wrong happens at our home how would we come to know about it?"⁶⁶

Another Sodexo hospital worker in the same area reports similar issues. "I joined as a helper on a total [monthly] salary of INR 3300 (\$73.52/€54.02). Later, I was promoted as cook but it meant more work on the same salary. For months, I continued to work on the salary of helper even after becoming a cook," this worker reports. "Only recently, my salary has been revised. Now I receive INR 4200 (\$93.58/€68.75). Even this is not sufficient for surviving in [an urban area]."⁶⁷

"Since [Sodexo] is a multinational company I thought to have a decent pay," the worker reports. "But, when I saw my salary all my enthusiasm were gone as the offered salary is even less than local companies." Elsewhere in the interview, he said, "I am lone bread earner for my family. My parents depend on me. I have to send them money every month for their survival.... I do not even think of marriage as how can a family survive on such a meager salary. My priority is to build a house for my parents in our village. Marriage seems too down in the priority list. I simply can not afford a family life in this salary."⁶⁸

Colombia

Sodexo workers at both the National Chocolate Factory⁶⁹ and the La Jagua coal mine⁷⁰ both report that their stated monthly salaries are right at the national minimum wage of 515,000 pesos per month (\$283.24/€211.14). That amount evaporates quickly when faced with regular family expenses. One Sodexo worker in Colombia describes the typical costs for his family:⁷¹

Monthly Expense	Amount in Colombian Pesos	Amount in US Dollars	Amount in Euros
Housing	160,000	\$88.00	€65.60
Food	250,000	\$137.50	€102.50
Water	64,000	\$35.20	€26.24
Telephone	60,000	\$33.00	€24.60

Monthly Expense	Amount in Colombian Pesos	Amount in US Dollars	Amount in Euros
Electricity	31,000	\$17.05	€12.71
Gas	24,000	\$13.20	€9.84
Total	589,000	\$323.95	€241.49

Turkey

One Sodexo worker in Turkey, who performs cleaning work for the company, reports that she makes the Turkish minimum wage.⁷² “Almost all my earnings go to expenses, so nothing is left to put aside,” the worker says.⁷³ According to the U.S. Department of State’s Human Rights Report for Turkey, “The national minimum wage of 693 lira [\$469.93/€348.87] per month did not provide a decent standard of living for a worker and family.”⁷⁴ The Turkish labor union Turk-Is takes the argument a step further, calculating that the hunger threshold for a family of four was 816 Turkish Lira (\$553.34/€410.79), and that the poverty threshold—the amount a family of four needed to cover basic expenses such as food, rent, transport, health, and education—was 2,657 TL (\$1,802/\$1,338) per month.⁷⁵ In other words, a Sodexo worker at minimum wage doesn’t even hit the hunger threshold, and only earns about one-quarter of the poverty threshold as defined by worker advocates.

United States

While the wages that Sodexo pays in the United States may seem comparatively high, the fact is that many workers in the U.S. struggle at or below the poverty line. Some Sodexo workers make as little as \$7.50 (€5.57) per hour.⁷⁶ At that wage, a Sodexo employee who works full time, year-round earns just \$15,600 (€11,581) per year, far below the official poverty line for a family of four.⁷⁷ (According to the U.S. Department of Health and Human Services’ 2009 Poverty Guidelines, which are used as the basis for determining eligibility for many public anti-poverty programs, the poverty line for a family of four was \$22,050/€16,369 for 2010.⁷⁸) Even an employee who earns somewhat more—\$10.01 (€7.43) an hour—fails to climb above the poverty line for a family of four, making just \$20,821 (€15,457) per year.

Many Sodexo workers in the United States earn so little that they qualify for the nation’s major anti-poverty programs.

Take the example of Joyce Bradley, a Sodexo cafeteria worker at Tulane University in New Orleans, Louisiana. “I’ve been here the longest out of anyone I know. I never imagined I would be here 40 years. Since this is a prestigious college, I bragged that I worked at Tulane University and the people that I’ve met over the years. I was hoping to move my way up—and climb the ropes—to management. I was glad to be working at a university. We had benefits when I started, like hospitalization,” she said, explaining that the cafeteria wasn’t always outsourced to Sodexo. “Now I make \$9.51 (€7.06) an hour. I am paid every two weeks and typically take home \$450 (€334). I pay \$350 (€260) a month in rent.”⁷⁹

After 40 years working in the cafeteria at Tulane University in New Orleans, Sodexo worker Joyce Bradley still makes less than \$10.00 (€7.42) per hour. “I’m a proud woman so I’m going to do my job no matter what they tell me to do,” she says, “but this isn’t fair.”

Following Hurricane Katrina, Joyce returned to New Orleans. Her lifelong home had been destroyed, and while she got her job back, it wasn’t the same as before. “After all of those years—it was heartbreaking after all of those years to show back up after Katrina—after all I had already been

through—they didn't even have the respect to train me on the new cash register system. It was like they hit me in the face when they told me to go upstairs and clean the tables," she said. "I can't even think about it, it's too painful. If I thought about it, I would have cracked from stress. I'm a proud woman so I'm going to do my job no matter what they tell me to do but this isn't fair."

The story of Marcia Snell—who works as a food service worker at the athletic facilities for Ohio State University, one of the largest universities in the United States, also reflects the struggles of many Sodexo workers in the United States. "I only take home \$14,000 (€10,393) a year. The utility that's about to be shut off is the bill that I pay. I'm two months behind on my car payment, and I don't know when I can pay again. I have nothing besides my job," she said. "I need health insurance, but can't afford it. I need eyeglasses but can't buy them. Obviously, I do my job well or they wouldn't have kept me for 10 years. I'm tired of begging for a raise and I'm tired of sacrificing time with my kids for a job that keeps us in poverty."⁸⁰

**"I'm tired of begging for a raise and I'm tired of sacrificing time with
my kids for a job that keeps us in poverty."
– Sodexo food service worker Marcia Snell**

At these wage levels, which are typical for employees of the company, Sodexo workers qualify for many federal anti-poverty programs. Take, for example, the food stamps program (known formally as the Supplemental Nutrition Assistance Program, or SNAP). The *New York Times* notes that food stamp use is at a record high, with over 36 million people relying on the program for basic necessities. The program now feeds 1 in 8 Americans and 1 out of every 4 children.⁸¹ In order to qualify, a family's net income has to be less than 130% of the poverty line (though families with significant assets or savings beyond their annual income may not qualify.⁸² (For a family of four, that comes to \$28,655/€21,280.) For a Sodexo worker who makes \$7.50(€5.57) an hour, they would have to work 74 hours per week in order to reach this income threshold. Even at \$10.50 (€7.79) per hour, a Sodexo worker would still have to work nearly 53 hours per week in order to surpass the income threshold for this anti-hunger program. Many Sodexo workers also are eligible for other federal anti-poverty programs, such as the Special Supplemental Nutrition Program for Women, Infants, and Children (commonly known as WIC),⁸³ and free- and reduced-price school lunches.⁸⁴

Sodexo Has Interfered With Workers' Right to Freedom of Association

The right to form trade unions and has also been acknowledged as a fundamental human right. Article 23 of the Universal Declaration of Human Rights states, simply and clearly, "Everyone has the right to form and to join trade unions for the protection of his interests."⁸⁵ This right has been reiterated numerous times, including in the conventions of the International Labour Organization (ILO),⁸⁶ the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy,⁸⁷ the Global Sullivan Principles of Social Responsibility,⁸⁸ and the UN Global Compact.⁸⁹

Sodexo purports to uphold the right of workers to engage in freedom of association and form trade unions if they choose.⁹⁰ But in practice, our research finds that few Sodexo workers in fact have union representation, and in cases where workers have stood up for their rights they have perceived resultant harassment, retaliation, and even termination from their jobs. Many Sodexo workers say they feel too afraid to even talk to their co-workers about a union—a situation that is exacerbated by the prevalence of temporary contracts in places where unemployment is high, wages are low, and the risk of losing a job often outweighs the desire to stand up for better wages, benefits, and working conditions.

Colombia

Efforts to organize unions across various industries in Colombia have a troubled history marked by frequent violence against workers seeking to form a union. A 2009 report by the International Trade Union Confederation (ITUC)—which conducts an annual country-by-country survey of trade union rights—notes that in Colombia, "[d]espite the strong emphasis on security by the current government and a 60% fall in the murder of trade unionists over the last few years, 2008 saw a disturbing 25% rise in cases of anti-union violence. A total of 49 trade unionists were assassinated, of whom 16 were trade union leaders, 45 were men and four were women. Attacks, disappearances and death threats continued."⁹¹

The U.S. Department of State's 2009 Human Rights Report for Colombia acknowledged problems as well: "The ENS [National Labor School] and other labor groups acknowledged an improvement [in the murder rate of trade unionists] from 2008 but warned that focusing on murders alone masked the true nature and scope of the antiunion violence. ENS reported that only 26 percent of the 10,364 'violations of life, liberty, and integrity' of unionists it had tallied since 1986 had been murders. The majority consisted of death threats (4,418) and forced displacements (1,611), as well as arbitrary detentions, harassment, nonlethal attacks, disappearances, kidnappings, torture, and illegal searches."⁹²

In a country with a long history of anti-union activity, Sodexo workers seeking to organize perceive they have faced threats and intimidation.

Workers report concerns that 16 Sodexo employees have lost their jobs after seeking to form a union.

It is against this backdrop that Sodexo employees who worked at the National Chocolate Company sought to organize a union. Until recently, none of the approximately 9,000 workers Sodexo employs in Colombia⁹³ had union representation. Sodexo provides food and facilities services to a range of clients in the country, including corporate cafeterias, health care facilities, and "remote sites" such as mining operations. Sodexo also operates a significant service voucher business in the country, providing meal cards that corporate clients use as part of their employees' compensation packages.⁹⁴

The first of these workers to seek to organize a union performed cleaning and catering services at the National Chocolate Company factory in Bogotá, Colombia. As described below, these workers say their efforts have been met with anti-union threats by some managers. A number of workers interviewed claim they subsequently had their contracts cancelled without explanation.

One issue that sparked the effort to establish a trade union at the National Chocolate Company factory was the allegation by workers that Sodexo managers were not paying the workers overtime due them by law. (This issue is discussed in more detail later in this report.) When some Sodexo workers could not resolve their overtime dispute with management, they decided to form a union with SINALTRAINAL, the union that already represented the workers who were employed directly by the chocolate factory.⁹⁵

In November 2009 and February 2010, Sodexo workers held their first two meetings with SINALTRAINAL.⁹⁶ Workers interviewed perceive that after word of the union organising meetings leaked to Sodexo management, a number of the workers who were organising the union were transferred by Sodexo from the National Chocolate Company to other Sodexo workplaces including Club los Lagartos and BanColombia.⁹⁷

One of the workers who was transferred, Manuel Martínez, says he feels he also faced deteriorating working conditions after the November 2009 organizing meeting. “When the rumor got out around the factory that we were organizing, we felt we started to suffer persecution from Sodexo managers,” he said. “I personally was transferred to work at BanColombia where I was sent to a different office every day of the week which appeared to me to be a strategy to wear me out so that I would quit my job and give up on the efforts to organize a union.”⁹⁸

During this period—from late 2009 to spring of 2010—some Sodexo workers who were organising with SINALTRAINAL have reported concerns they were subjected to anti-union comments and pressure from some Sodexo managers. For example, Cecilia Avila, who works as a cleaner, described how she perceived the company’s response: “The [Sodexo] administrator frightened them, she told them, if we joined the union, we were going to get fired.”⁹⁹ She also reported that other non-union co-workers had told her that management claimed that Sodexo would lose a contract with a client because the management of that client company did not want a union: “The Sodexo manager told us about... how it is the union’s fault that we are going to be left without a job.”¹⁰⁰

A Sodexo employee alleges a manager at the National Chocolate Company account told her, “If I ever find out that you have been speaking to somebody from the union, you’re out.”

Another Sodexo worker—Agripina Pérez, a cleaning worker who joined SINALTRAINAL, says she was told by a Sodexo manager, “If I ever find out that you have been speaking to somebody from the union, you’re out.”¹⁰¹

On April 17, 2010, the eleven Sodexo workers who had decided to join SINALTRAINAL held another organising meeting at which the governing board of SINALTRAINAL officially accepted the workers as members of the union.¹⁰² Just 10 days later, Sodexo unexpectedly cancelled the one-year contracts—with no cause stated—of seven of the eleven workers who affiliated with the union.¹⁰³ Some of these workers had worked for Sodexo for more than a dozen years and some of the contracts that were cancelled had six months or more remaining in their term.¹⁰⁴ In addition, another nine workers who were in conversations about affiliating with the union also had their contracts terminated. According to a signed statement by Manuel Martínez, “In addition, another nine workers who were close to those of us that joined the union also had their contracts terminated on [April] 28 and 29 just like the seven of us union members.”¹⁰⁵ Given concerns over the perception of anti-union harassment by Sodexo

management described above, as well as the timing of the unexpected contract cancellations, SINALTRAINAL contends that Sodexo has terminated a total of sixteen workers because they exercised their right to freedom of association.

The Sodexo workers have pursued two paths in their struggle to form a union at the National Chocolate Company factory. Within Colombia, the Colombian Ministry of Social Protection scheduled a meeting with both Sodexo and SINALTRAINAL on July 1, 2010 to further investigate and assess the issues surrounding the firings. Representatives from SINALTRAINAL attended the meeting, however, Sodexo failed to send any representatives to the meeting. SINALTRAINAL has condemned Sodexo's failure to fully participate in the Colombian government's investigation.¹⁰⁶

Workers have also sought assistance from global institutions with a responsibility to monitor labor standards and help resolve disputes. On July 30, 2010, the Confédération Générale du Travail (CGT), France's largest union, filed an official complaint with the Organization of Economic Cooperation and Development (OECD) on behalf of workers in Colombia and the United States raising concerns that Sodexo had repeatedly violated OECD guidelines with respect to labor standards and asking the OECD to intervene and encourage "Sodexo to grant reinstatement to the unjustly fired workers, and sign a global framework agreement that would guarantee its neutrality with respect to union formation."¹⁰⁷

A similar complaint has been filed in the United States with the U.S. Department of State, which acts as that country's OECD National Contact Point.¹⁰⁸

Dominican Republic

According to the Food Workers Union of the Dominican Republic, Fentiahbeta, workers made several attempts to have a dialogue with management about their concerns about perceived non-payment of minimum wage and other workplace code violations, but they say managers did not listen. In August, a group of workers decided to organize a short work stoppage to bring the issue to the attention of management.¹⁰⁹ Two days after the work stoppage, Carin Mieses, the main leader, says she was fired. According to Fentiahbeta, Sodexo response has resulted in an atmosphere of fear and intimidation:

"[I]nstead of resolving the workers' issues, I felt that the management took on an intolerant and repressive attitude, and retaliated against the workers who were simply asking for the respect of their rights. They suspended some of the workers and even fired a woman worker because she spoke up about these rights that Sodexo was not respecting."¹¹⁰

Morocco

Sodexo workers in Morocco have not been able to form a union. In general, the climate for trade unions in Morocco is difficult. For example, Morocco has not ratified the International Labour Organization's Convention 87¹¹¹—one of the core conventions, which covers "Freedom of Association and the Protection of the Right to Organise."¹¹² The ITUC's annual survey of trade union rights found that there is "Less repression, more dialogue, but still a long way to go" when it comes to workers' ability to join unions. Despite progress on some fronts, the ITUC reports, "Trade unions were harassed throughout the year. Workers were transferred or sacked because of their trade union activities."¹¹³

Many of the twelve Sodexo workers who were interviewed for this report stated they haven't considered trade unions as an option for fear of being fired, and some reported instances of perceived inappropriate response by the company when workers did seek to form unions:

"Two years ago, 4 employees wanted to join UTM (Union de Travailleurs Marocains) because they were upset that they could not ever get promoted. One of the men mentioned this to the supervisor who he was friends with. All four of the men were fired. I do not know what reason they were given for being fired. I do not know if they made complaints or where they are now. No one has talked about unions ever since."

"I have never thought about joining a labor union because that would put me in trouble with the supervisor. I cannot really complain about my work conditions. Each time they complain, the supervisor yells at them and becomes mean. So if they join a labor union it means that they have things to complain about, and the supervisor won't admit it. I know someone who once talked to his colleagues about the idea of joining a union, the supervisor heard about it, and this person was transferred to another site far from the city."¹¹⁴

United States

Recently, Human Rights Watch released a study of the labor practices of European multinational corporations in their operations in the United States. Among the examples that Human Rights Watch cites is Sodexo. In September 2009, food, laundry and facilities workers across the country employed by Sodexo launched a major national organizing effort. According to the report, "Despite claims of adherence to international standards on workers' freedom of association, Sodexo has launched aggressive campaigns against some of its US employees' efforts to form unions and bargain collectively. Sodexo managers have used many of the tactics described [in the report] that, while legal under US law, violate international standards requiring non-interference with workers' organizing rights.... But in some instances, Sodexo has crossed the line to anti-union behavior unlawful under both US law and international standards."¹¹⁵

The Human Rights Watch report includes examples of anti-worker conduct from the most recent (and, as of this writing, ongoing) organizing effort in the United States,¹¹⁶ but also cites examples of such behavior by the company from as far back as 2003.¹¹⁷ According to the report, "Sodexo told Human Rights Watch that the Phoenix events were 'an exceptional and outdated set of circumstances' that should not be used to 'paint a false picture of Sodexo.' However, recent developments indicate that Sodexo still resists workers' new organizing attempts. The neutrality agreement between Sodexo and the unions covering organizing procedures at selected company locations ended in 2009. Since then, Sodexo has again expressed inappropriate hostility toward unions and workers' organizing efforts, and taken steps to thwart union formation."¹¹⁸

In one recent example, the National Labor Relations Board (NLRB)—the government body with responsibility for enforcing U.S. labor law—found merit to pursue allegations made by workers that the company has engaged in unlawful anti-union behavior. The NLRB General Counsel issued a formal complaint on behalf of workers at Ohio State University and the Ohio On-line Computer Learning Center alleging that Sodexo managers interrogated employees and made threats to take away job benefits (such as paid breaks and free food) if employee chose to form a union. This alleged conduct violates U.S. labor law.¹¹⁹ After the NLRB issued the complaint, Sodexo agreed to settle these claims rather than have them proceed to further investigation and trial.

In other instances, faced with the threat of government action, Sodexo has entered into settlement agreements to resolve allegations by its employees of anti-union contact:

- At Lafayette College in Easton, Pennsylvania, Sodexo settled charges after the NLRB found reasonable basis to believe the company had committed unfair labor practices and would take them to trial if no settlement was reached. Specifically, the Region found merit on charges that Sodexo had engaged in multiple incidents of interrogating workers about their union activities,

Sodexo Workers Allege They Have Been Not Paid for All the Hours They Worked

Colombia

As noted above, concerns about alleged unpaid overtime was one of the issues that originally sparked efforts by Sodexo workers to organize a union with SINALTRAINAL. Sodexo workers at the National Chocolate Company in Bogotá told interviewers that over the course of 2009, they came to believe they were not receiving the overtime payments (“recargos”) and the Sunday compensation time (“compensatorias”) for their work on the Saturday evening overnight shift that stretched into Sunday, to which they felt they were entitled.¹²³ According to Blanca Elena Bustos, who had worked for Sodexo for almost 14 years, before getting fired on April 28, 2010:

“Manuel and I talked a lot ... and he did not agree with the Sunday night shift overtime pay, which was communicated to our boss at the time, the boys... who are... his coordinators... were informed, and they didn’t listen to us. Then Manuel went to the main office, he talked with [Sodexo manager]... she didn’t listen to him either, and then it was through this that we said, no...you really get taken advantage of at night.”¹²⁴

Manuel Martínez, who had worked for Sodexo for two years, stated his opinion that by not correctly calculating the Sunday night overtime payments, “they are depriving me of almost 16,000 pesos per month.” Manuel claimed that other Colombian companies were paying both the Sunday overtime payments and the overnight overtime payments for those workers who worked an overnight shift from Saturday to Sunday, whereas Sodexo only paid one overtime payment for that shift.¹²⁵ He described his conversation with Sodexo management about his concerns regarding the apparent underpayment:

“I went and told her (the manager), this is happening, and this at the National Chocolate Company, she told me, ‘my son, we pay Sunday, Monday, Tuesday ... the companies that pay Sunday night time and overtime is a company that gives money away to his employees.’ I told her, ‘No, that is something that one earns.’

Then she said, ‘we interpret the law this way, we pay Sunday or we pay nights, we don’t pay Sunday and night time, double, we don’t pay it.’”

“...(the manager) she told me, ‘look, two more people have already come here about that, you from the National Chocolate Company and another from another company and because of those two people, this is not going to change, we keep on paying this way.’ I got out very confused and I said, let’s get organized, we have to create a union, we have to do something because like that, on your own, you cannot do anything.”¹²⁶

Sodexo workers at the La Jagua coal mine, served by the company, say they are having a similar experience.¹²⁷ For example, María Sánchez—a Sodexo worker at La Jagua—told interviewers that she is frustrated at what she considers a shortage of overtime pay, and the lack of clarity regarding the length of their work days.¹²⁸ Workers start their day at 4 or 4:30 am and work until 6pm many days.¹²⁹ Nevertheless, she claims, many times these hours have not been reflected in their paycheck.¹³⁰ As one worker has noted:

There is a coworker of mine who gets in at four, and sometimes he leaves at eleven at night... sometimes at ten at night. One night he went to the ATM machine, and saw that he had been paid two hundred

and thirty thousand pesos(\$126.50/€94.30) [for a two week pay period] . . . even though he had been working very hard. He had been working very hard from a little after four until ten at night.¹³¹

Germán Albor, the treasurer of the Colombian miners' union Sintramienergética, says that he knows firsthand about the conditions of workers—including Sodexo workers—at the La Jagua mine. While Sintramienergética does not represent the Sodexo workers at the mine, Germán is a member of a joint committee with the mine owner—Glencore-Prodeco—that was formed to monitor occupational health and industrial safety in the mine.¹³² Sodexo workers at La Jagua, he said in an interview, say they frequently work 16 hour workdays without overtime pay to which they believe they are entitled for extra hours or nighttime hours.¹³³ One worker reported to Albor that her workday ran from 4:30 a.m. to 6 p.m. every day without the overtime pay she believes she is owed, and due to her workload could not stop to take a lunch break.¹³⁴ Another worker reported that her workload was so heavy she had worked from 4 a.m. to 4 p.m. with no over time pay, at one point working 23 consecutive days without a day off.¹³⁵

Morocco

Sodexo workers in Morocco interviewed for this report consistently reported they had worked extra hours without being compensated as they believe is required by Moroccan law. In interviews, Sodexo workers said they often worked for three to four additional hours a day without getting paid, which is a particular hardship considering their low salaries. As in many of the countries where we conducted interviews, Sodexo workers in Morocco sign contracts that specify hours of work and a total monthly salary. But workers interviewed for this report claim they ended up working longer hours than specified in their contracts without receiving any additional compensation.

A report on Morocco's labor laws by the U.S. Department of Labor's Bureau of International Labor Affairs notes that the legally specified workweek for non-agricultural workers is a maximum of 44 hours, and explains that the "daily work period not to exceed 10 hours unless legally stipulated." In addition, the report states, "The law permits overtime work if the company performs tasks that are deemed in the national interest or if it experiences an exception increase in its volume of work. Workers in non-agricultural activities receive an additional increase of 25 percent for extra hours worked between the hours of 6:00 a.m. and 9:00 p.m. and a 50 percent increase for hours worked between 9:00 p.m. and 6:00 a.m. These increases are raised to 50 and 100 percent for hours worked on a rest day."¹³⁶

For example, one worker interviewed said she often works from 7 a.m. to 7 p.m. but is only paid from 8 a.m. to 3 p.m. A second worker said he works from 6 a.m. until 5:00 or 6:00 in the evening, but only gets paid from 7:00 a.m. until 4:30 p.m. A third worker says he often works 3 to 4 extra hours per day.¹³⁷ The general feeling, according to these interviews, was that there is a lot of pressure to work these hours and workers say they feel unable to leave the worksite until the work is done.

A kitchen assistant in Rabat who has worked in the same hospital kitchen for over 20 years says he experienced an increase in hours when Sodexo took over the running of the kitchen five years ago, but says he does not get paid any extra for the increased hours:

*"My hours changed from 8 a.m.-4 p.m. to 8 a.m.-5 p.m. and my lunch break was no longer allowed. In addition they expected me to work extra hours. On Saturdays I had to work from 8 a.m. to 8 p.m. but got paid no extra. This is because staff can only either take Saturday or Sunday off and so we end up working the shift of the person who is not working. There used to be three of us working as kitchen assistants, but since one person retired about a year ago it is just two of us doing the work of three people."*¹³⁸

Another kitchen assistant stated:

"My shift is officially from 7:00 a.m. until 5:30 p.m. However, up until a few weeks I was required to stay until 9:30 p.m. almost every day [14.5 hour day] because the office organizes training after hours, [which needs to be catered]. I did this for two years. They only recently finally hired someone to work this [extra] shift. I complained to the supervisor but he would just say it will get better, but nothing would change. I felt like a slave. I was not paid overtime for all these extra hours, but was given a "bonus" of 500 dhs (\$59.69/€44.31) at the end of each month which was supposed to compensate me for these extra hours; however it was not nearly enough for the hours worked."¹³⁹

Some workers claim they feel forced to come in on their days off and work without extra pay, and that they did not receive a break during their work day¹⁴⁰ as required by law.

Guinea

In Guinea, the challenge of getting transportation to and from their jobs at the Simandou iron ore mine creates additional hardships. Workers report that they sometimes wait up to five hours a day for the Sodexo-provided bus to and from the mine because there are not enough buses for all of the workers—time for which they are not paid.

"We get up at 4:30 am to wait for the bus until 6 or 7 a.m. We have to wait that long because there are more people waiting than there are seats in the bus...", one Sodexo maintenance worker says. "We leave work at 5 p.m. But you can be there until 6 p.m. or 7 p.m. or later because there aren't enough seats on the bus. So the two or three hours that you spend away from your family but not working, that's not paid. That's how we work."¹⁴¹

A Sodexo warehouse worker at the site tells a similar story. "It's a struggle to get to work on time. I leave my family at 4:30 am in order to be at work for 7 a.m. From 4:30 a.m. until 7 a.m., you have to fight to get to work. The number of people going to the site is greater than the number of places on the site's bus," the worker says. "Work ends at 5 p.m., but unless you have transport, like your own motorbike, you often have to wait until 6 p.m. for a seat on the bus. It's tiring."¹⁴²

Meanwhile, workers claim that expatriate managers travel by helicopter and four-wheel drive vehicles. "Sometimes I feel almost like I'm a slave. Not just morally but physically," one Sodexo mechanic says. "The expats live in luxury while we don't even have a bus big enough to transport us to work. They ride around in 4x4s."¹⁴³

Examples from Other Countries

- **India:** One worker who was interviewed reports, "Officially there is eight hour shift but we always work couple of hours more without any overtime. We have to wash the uniforms ourselves. I was given a used uniform. It is worn and torn. We sew it and continue using it. I have been using the same uniform for more than two years. We go to market everyday to get the uniform ironed. We pay for it. We do not even get weekly off. We continue to work for months without any leave."¹⁴⁴
- **Dominican Republic:** One Sodexo worker interviewed in the Dominican Republic reported, "I had to leave at 1:30 and they deducted 5 days and, I'm not lying to you, they didn't explain to me why they deducted 5 days of work. A week!" she said. "They didn't explain to me why they deducted those 5 days." The worker went on to claim that sometimes she has not received the premium pay for night work that she understands is required by Dominican law.¹⁴⁵

Sodexo Disrespects Poor Workers

Beyond the issues of wages and freedom of association, there are a number of other ways in which workers report that they feel Sodexo takes advantage of them and treats them as second-class citizens. Workers interviewed described experiencing discrimination and what they consider to be poor health and safety conditions. These may be early warning signs about possible problems with a company's social performance that can have a long-term financial impact. Increasingly, investors around the world pay attention to these factors. For example, the United Nations' Principles of Responsible Investment (UN PRI), an investor initiative in partnership with UNEP Finance Initiative and the UN Global Compact, recently reported that more than 800 institutional investors have signed its principles.¹⁴⁶

Separate (and Unequal) Treatment

Workers report that there are separate canteens for expatriate managers and Guinean managers and workers.

"The cooking for the Europeans is awesome, they have everything they want. But the canteen for us...sometimes you turn up and they don't have anything for us to eat."

- Sodexo warehouse worker¹⁴⁷

"We know that the expats have an amazing canteen because I have friends who work there. But we're not even allowed to go and get a banana from there. The expats eat among themselves. Even the Guinean management staff – from all companies, yes, Sodexo, yes, SML – eat in the same canteen as us. I know that the expats have their own bars and shops too but even my friends who live on-site are not allowed in them."

- Day laborer¹⁴⁸

"The expats at the site, all the expats from all different parts of the world, from all different companies because there are lots of companies up at the site, they eat really good food. At least it looks good. There are lots of European dishes. They are mostly all white, the expats that eat in that canteen."

- Canteen Security Guard, employed by Inter-Con subcontractor¹⁴⁹

Inaction and Retaliation When Workers Report Unsafe Working Conditions

Colombia: Sodexo workers say that the conditions that they work in can sometimes be considered dangerous. According to Blanca Bustos, a worker at the National Chocolate Company, approximately five years ago, she was cleaning a large piece of industrial machinery that is used for mixing chocolate, which required her to climb under and into the middle of the moving components of the machinery. As she was cleaning, she told an interviewer, the industrial machine's components caught her blouse/smock and trapped her in the moving machine. As she was dragged inside of the machine, her blouse/smock began to choke her as she was dragged along the metal machinery. In the time that it took to turn off the machine, she almost suffocated: "It almost killed me, almost hanged me, just one minute more . . . and when they pulled me away from the machine I was no longer breathing." She was taken to the hospital for emergency treatment. Ms. Bustos says she was left with a cut on her neck that resulted in a permanent scar, and she needed eight months of therapy with a psychologist to deal with the emotional toll of this traumatic incident.¹⁵⁰

Colombian law, at least on paper, does require employers to provide protections to address worker safety. According to a report by the U.S. Department of Labor on Colombian labor law, "Colombia's Substantive Labor Code requires employers to provide equipment and workplaces that guarantee the security and health of workers and to adopt safety and health measures to 'protect the life, health, and morality of workers in their service.'" Companies with 10 or more employees must develop a series of special health and safety regulations that must be approved by government regulators, including one for the "prevention of accidents and illnesses." But the same report also notes that workers in workplaces without unions often are afraid to exercise their legally protected rights. According to the report, "The U.S. Department of State reports that while Colombian law guarantees workers the right to remove themselves from hazardous work situations without jeopardizing their employment; in practice, non-unionized workers have continued to work in these circumstances out of fear of losing their jobs if they complained about the situation."¹⁵¹

Another worker, Agripina Pérez, told interviewers that in November 2009, she went into an industrial cooler in the factory's cellar to retrieve foodstuffs at the direction of one Sodexo manager, and became locked in. This cooler is below zero degrees Celsius, and Ms. Pérez feared she would not be able to get out: "From the inside to the outside they cannot hear you at all." After someone eventually let her out, Ms. Pérez did not intend to complain to the union or seek the attention of a doctor, but she says another co-worker informed the union, which in turn informed the factory's director of human resources. Ms. Pérez claims that a Sodexo manager expressed anger over the fact that the account of the incident had gotten out:

"Because that [Sodexo manager] told me, well, when the director of human resources called her, she got super angry...she told me, right then, 'if I ever find out that you have been speaking to somebody from the union, you're out, I need you to find out for me who was the one that went and told the people at the union,'"

Guinea: Workers in Guinea also told interviewers that they face harsh working conditions:

"We work with chemical products. And that's not particularly good for our health. Sometimes they send us gloves that are kind of appropriate for the work, sometimes they say that there aren't enough for us. And we're just expected to work without them."

- Sodexo maintenance worker¹⁵²

"There is no shade where we work, everything is outside. We spend all day there, outside in the heat. We've asked and asked and asked for shade that we can rest in, but it's impossible. We'd like a place where we can rest after customers come with deliveries. They've never done anything about it."

- Sodexo warehouse worker¹⁵³

Morocco: Sodexo workers in Morocco have told interviewers that their work was often too hard for them and that this has resulted in injuries. One worker, who has been at the same kitchen before and after Sodexo took over, stated:

*"My main job is to wash the dishes, but since Sodexo took over the running of the kitchen I also have to take out the garbage. I find it very hard to take out the garbage. I have to take out a large container which weighs more than ten kilos, four or five times a day. I am 50 years old and have some health problems including high blood pressure. I have told my supervisor three or four times that this is too hard for me but he never does anything about it."*¹⁵⁴

United States: Sodexo's industrial laundries can be hot, dangerous places, comprised of giant washers, dryers and conveyor belts—much more like factories than a local Laundromat. At these facilities, there

appear to be a number of health and safety concerns. Most recently, some workers at a Sodexo laundry in Cleveland, Ohio, filed a complaint with the U.S. Occupational Safety and Health Administration (OSHA), which regulates these issues. The agency has conducted an inspection, but has not yet issued a report.¹⁵⁵ Some of those workers have complained repeatedly of dangerously high temperatures in the laundry operations, and others have reported perceived pressure from managers to complete what they see as unreasonable production quotas.¹⁵⁶

Since 2005 government inspectors have proposed \$140,000 in penalties at Sodexo's laundry facilities throughout the United States. The citations issued by OSHA at Sodexo's laundry facilities include chemical hazards, bloodborne pathogens and machine guarding violations of the Occupational Health and Safety Act. Many of the citations were considered 'serious' or 'repeat' violations. For example:

- In 2005 and 2006, the OSHA issued citations concerning serious health and safety violations for Sodexo laundry facilities in Cleveland, OH, and Pittsburgh, PA, including failure to train workers about deadly infectious disease hazards, toxic chemical hazards or procedures to prevent amputations and other severe injuries from heavy equipment.¹⁵⁷ In December 2009, OSHA's inspector returned to the Pittsburgh plant after a worker filed a complaint, and *again* found violations of OSHA's standards to protect workers from infectious diseases – a critical issue in factory-sized laundries handling thousands of pounds of contaminated, soiled linen from hospitals. *Once again, as in Pittsburgh in 2006 and in Buffalo in 2008, OSHA cited Sodexo for violations* such as failing to properly provide exposed workers with the required opportunity to receive essential vaccinations against blood borne disease. The penalties again involved thousands of dollars.¹⁵⁸
- In May 2008, OSHA cited Sodexo's Buffalo NY laundry for multiple "repeat violations," for some of the same hazards cited years earlier in Sodexo's Cleveland and Pittsburgh laundries, including exposure to severe, life-threatening hazards like electrocution, infectious diseases, and being caught in unguarded or unexpectedly energized driers and other machinery. The total penalties were \$102,000 (later reduced to \$32,000).¹⁵⁹

Conclusion: A Global Path Forward for Sodexo

As the first hand accounts in this report illustrate, a company's own code of conduct—no matter how strong it looks on paper—may fall short when there is no consistent, long-term mechanism for ensuring its successful implementation at the worksite level. Top-down social audits—which, according to a report by the World Bank “includes the establishment of codes of conduct and their subsequent implementation and enforcement”—have played an important role in “beginning to raise awareness and achieve progress.”¹⁶⁰ But that report, which included interviews with 200 workers and 200 representatives of companies and organizations¹⁶¹—also notes that this top-down approach “nonetheless was insufficient and even inefficient in achieving further real and sustained improvements.”¹⁶²

The only way to ensure that Sodexo adheres to responsible labor standards is through the negotiation of a global agreement that ensures all Sodexo workers have the right to organize trade unions free from company intimidation.

When social audits are done poorly, however, they can actually harm the ability to assess conditions at the workplace. “Social audits are meant to help identify workers’ rights violations in production facilities, to assess and evaluate suppliers’ performance in relation to social standards and encourage improvements in the workplace,” according to a study of social auditing practices in the apparel industry by the Clean Clothes Campaign that included interviews with 670 workers at 40 factories in nine countries. “They cannot, by themselves, create change. At the same time, flawed auditing can have the opposite effect by providing a false or incomplete picture of working conditions at a production site. Much, therefore, depends on the quality and scope of an audit.”¹⁶³

One example of the limited usefulness of company-initiated monitoring of working conditions comes from Sodexo in Morocco. “We do not complain about the supervisor because we are scared of him,” a Sodexo dishwasher reports. “Once a year Sodexo send us an anonymous and confidential questionnaire with 56 questions where we could complain about him, but we don’t say the truth because we are scared.”¹⁶⁴

Of course, there have been some successes in corporate social responsibility monitoring. At their best, social audits that are conducted transparently and independently can be useful tools in *beginning* to assess conditions and areas for improvement. For example, the Worker Rights Consortium (WRC) is widely acknowledged to have one of the most comprehensive and well-respected monitoring standards. The WRC is an independent labor-rights monitoring organization focusing on standards at factories that manufacture apparel that bear the logos of many United States universities. The WRC “conducts independent, in-depth investigations; issues public reports on factories producing for major U.S. brands; and aids workers at these factories in their efforts to end labor abuses and defend their workplace rights.”¹⁶⁵

But importantly, the WRC acknowledges in its Model Code of Conduct and monitoring procedures that legitimate, independent worker representatives play a vital role in the long-term enforcement of any labor standards. In a document outlining procedures for verifying compliance with the code of conduct at an apparel factory in the Dominican Republic, the WRC says, “The WRC recognizes that the most effective day-to-day monitoring of compliance with labor standards is performed by workers and their representatives, acting through democratic labor organizations.”

In the long run, we believe the only way to ensure that Sodexo adheres to responsible labor standards is through the negotiation of a global agreement with the Global Union Federation for its sector, the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) that ensures all Sodexo workers have the right to organize trade unions free from company intimidation. Such an agreement would ensure that workers have access to the most efficient, effective means of creating and enforcing appropriate standards that comply with established global codes for labor and human rights.

Research Methodology

Guinea: A total of 25 interviews were conducted with Sodexo workers, Rio Tinto workers, Sodexo day laborers, and a union representative in the villages around the Simandou mine in July and August 2010. Interviews were conducted by two researchers, a British freelance journalist based in Dakar, Senegal, and a Guinean researcher and interpreter based in Beyla, Guinea. The identities of the workers have been kept confidential.

Colombia: A total of 3 group interviews were conducted with Sodexo workers at the National Chocolate Company in Bogotá. Interviews were conducted in May and July. In addition, 2 interviews with Sodexo workers were conducted by separate interviews at the La Jagua mine in August and 4 follow-up interviews were conducted by Tierra Digna. In some cases, the identities of the workers have been kept confidential. Interviews were translated from the original Spanish.

Morocco: In Morocco, One World Research(<http://www.oneworldresearch.com/>) carried out an initial on-the-ground research mission in Morocco in early July 2010 supplemented by pre-trip and post trip remote research conducted by email and telephone. In addition a local consultant for OWR carried out further research in August and September 2010. The aim of this research was to obtain information about Sodexo operations in Morocco generally and the company's treatment of its employees. One World Research interviewed workers, union officials and officials from the Ministry of Employment. Those Sodexo workers who were willing to speak were greatly concerned about their colleagues or supervisors finding out that they had spoken to us and afraid of talking about their work conditions openly. Some reported they felt too scared to talk to us and those who were interviewed did so under the condition that their names remain confidential. Additional interviews were conducted by SEIU in Casablanca on October 1 and 2.

Dominican Republic: Interviews were conducted at the Pueblo Viego mine in the Dominican Republic by an SEIU organizer working with local unions. Interviews were conducted in Spanish, transcribed, and translated into English.

Turkey: A Union official with Tekgida-IS, the Turkish Food Workers Union, conducted interviews with Sodexo workers. All interviews were recorded and translated and transcribed into English.

India: Human rights activists were hired in Delhi and Bangalore to interview Sodexo workers in July and August of 2010. In all cases, the workers who were willing to talk about their conditions would only talk at their homes for concern that even some of their co-workers would see them talk to someone. The interviews were recorded and translated and transcribed into English.

United States: Interviews with Sodexo workers have been conducted with dozens of Sodexo workers in at least 12 states from October 2009 to present. Interviews were conducted by SEIU organizing and communications staff; many were videotaped.

¹ Sodexo web site, "Human Rights," available at http://www.sodexo.com/group_en/corporate-citizenship/commitments/human-rights/business-ethics.asp, accessed October 4, 2010.

² See, for example, Sodexo press release, "Sodexo commitment to combining economic and corporate citizenship performance recognized again," September 16, 2010, available at http://www.sodexo.com/group_en/press/news/group/2010/100916-DJSI.asp, accessed October 4, 2010.

³ United Nations' Universal Declaration of Human Rights, Article 23, Available at <http://www.un.org/en/documents/udhr/index.shtml>, accessed September 24, 2010.

⁴ See, for example, Sodexo USA's statements on labor unions available at <http://www.sodexousa.com/usen/aboutus/factsheets/laborunion.asp> (accessed September 29, 2010); its "Better Tomorrow Plan" available at http://www.sodexo.com/group_en/Images/Sodexo-Better-Tomorrow-Plan_EN.L.2010.03_tcm13-362242.pdf (accessed September 29, 2010); and Sodexo web site, "Human Rights," available at http://www.sodexo.com/group_en/corporate-citizenship/commitments/human-rights/business-ethics.asp, accessed October 4, 2010.

⁵ "Minimum wage to be US\$252 in 2010," *Colombia Reports*, <http://colombiareports.com/colombia-news/economy/7504-minimum-wage-to-be-515000cop-in-2010.html>, accessed September 28, 2010. The article reports that the minimum wage for 2010 would be 514,987 Colombian pesos (COP). The government of Colombia adjusts the minimum wage each January, according to the U.S. Department of State's 2009 Human Rights Report for Colombia (available at <http://www.state.gov/g/drl/rls/hrrpt/2009/wha/136106.htm>). All conversions to Euros and U.S. Dollars in this report from COP are based on the following exchange rates as of September 28, 2010 as provided at <http://www.oanda.com/currency/converter/>: 1 COP=\$0.00055, 1 COP= €0.00041.

⁶ Interview conducted by SEIU, June 20, 2010, contained in file 20100620 Maimon Interview English, p2-3

⁷ According to the U.S. Department of State, "The executive branch sets minimum wage levels for public workers, and the tripartite National Salary Committee sets levels for the private sector, with the exception of workers in the FTZs and the sugar, construction, hotel, and shoe manufacturing industries. A Tripartite Commission negotiates minimum wages for each of these industries separately, and the Ministry of Labor enforces the minimum wages. The minimum monthly salary was 4,900 pesos (approximately \$136) in the FTZs and between 5,158 and 8,465 pesos (\$143 and \$235), depending upon the size of the company, outside the FTZs.... The national minimum wage did not provide a decent standard of living in any industry for a worker and family. All workers, including migrants, are covered by minimum wage provisions." U.S. Department of State, "2009 Human Rights Reports: Dominican Republic," March 11, 2010, available at <http://www.state.gov/g/drl/rls/hrrpt/2009/wha/136110.htm>, accessed September 28, 2010. All conversions to Euros and U.S. Dollars in this report from Dominican Republic Peso (DOP) are based on the following exchange rates as of September 28, 2010 as provided at <http://www.oanda.com/currency/converter/>: 1 DOP= €0.01992, 1 DOP= \$0.02683.

⁸ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #5), contained in file Sodexo Simandou Interviews 8/4/2010, p. 4.

⁹ According to the U.S. Department of State, "The labor code allows the government to set a minimum hourly wage enforced by the MOL; however, the government did not exercise this provision, nor did it promote a standard wage. Prevailing wages routinely did not provide a decent standard of living for a worker and family." U.S. Department of State, 2009 Human Rights Report: Guinea, March 11, 2010, available at <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135957.htm>, accessed September 28, 2010.

¹⁰ Interview conducted on behalf of SEIU with Sodexo workers in Delhi (Interview #1), contained in file TranslatedInterviews.Delhi1, p. 2.

¹¹ Labour Department, Haryana web site, "Rates of Minimum Wages w.e.f. 01-01-2010 in State of Haryana," available at <http://hrylabour.gov.in/>, accessed October 1, 2010.

¹² One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 3. All conversions to Euros and U.S. Dollars in this report from Moroccan Dirham (MAD) are based on the following exchange rates as of September 28, 2010 as provided at <http://www.oanda.com/currency/converter/>: 1 MAD= €0.08862, 1 MAD= \$0.11937.

¹³ According to the U.S. Department of State, "The minimum wage was 10 dirhams (\$1.25) per hour in the industrialized sector and 52.50 dirhams (\$6.50) per day for agricultural workers." The Dollar and Euro conversions included above is adjusted for current exchange rates. See U.S. Department of State, 2009 Human Rights Practices: Morocco, available at <http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136075.htm>, accessed October 6, 2010.

¹⁴ Interview with Turkish Sodexo employee, contained in file mulakat_2_English, p. 1.

¹⁵ U.S. Department of State, "2009 Human Rights Reports: Turkey," March 11, 2010, available at <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136062.htm>, accessed September 28, 2010. All conversions to Euros and U.S. Dollars in this report from the Turkish Lira (TRY) are based on the following exchange rates as of

September 28, 2010 as provided at <http://www.oanda.com/currency/converter/>: 1 TRY= €0.50342, 1 TRY= \$0.67811.

¹⁶ Pay stubs from Sodexo workers collected by the Service Employees International Union. All conversions from U.S. dollars to Euros are based on the following exchange rates as of September 28, 2010 as provided at <http://www.oanda.com/currency/converter/>: \$1.00= €0.74238.

¹⁷ Based on 4.3 weeks/month average, 40 hours per week, \$7.50 per hour.

¹⁸ U.S. Department of Labor, available at <http://www.dol.gov/dol/topic/wages/minimumwage.htm>, accessed September 27, 2010.

¹⁹ Interviews and observations conducted on site.

²⁰ Rio Tinto, "Rio Tinto Activities in Guinea: Project Information," March 2010, available at http://www.riotintosimandou.com/documents/RT_Simandou_Info_Sheet_EN_Mar_2010.pdf, accessed September 24, 2010.

²¹ Tom Burgis, "Behind the wrangle for Guinea's minerals," *Financial Times*, July 5, 2010.

²² "Rio Tinto Approves Additional Funding for Simandou," *Engineering and Mining Journal*, September 14, 2010, accessed September 24, 2010.

²³ United Nations Human Development Index, 2009, available at <http://hdr.undp.org/en/statistics/>, accessed September 29, 2010.

²⁴ United Nations World Food Programme, available at <http://www.wfp.org/countries/guinea>, accessed September 29, 2010.

²⁵ Human Rights Watch, "Bloody Monday: The September 28 Massacre and Rapes By Security Forces in Guinea," December 2009, p. 4-5.

²⁶ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #15), contained in file Sodexo Simandou ATestimonies English, p. 4. Currency conversions from GNF to U.S. Dollars, the British Pound, and the Euro use the exchange rate on September 24, 2010 (1 GNF=\$0.00013, 1 GNF=€0.00010, 1 GNF=£0.00009) as provided at <http://www.oanda.com/>.

²⁷ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #7A), contained in file Sodexo Simandou Interviews 8/4/2010, p. 6.

²⁸ One worker reports making the equivalent of \$78 month for 48 hours of work per week. At an average of 4.33 weeks per month (52 weeks divided by 12 months) that comes out to an average of about 208 hours per month, for an hourly wage rate of about \$0.38 cents per hour. Calculated in Euros (€60), the amount comes out to €0.29. Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #6), contained in file Sodexo Simandou Interviews 8/4/2010, p. 4.

²⁹ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #5), contained in file Sodexo Simandou Interviews 8/4/2010, p. 4.

³⁰ From interviews and observations conducted by Kate Thomas at the Simandou site, statement dated October 2.

³¹ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #11), contained in file Sodexo Simandou ATestimonies English, p. 2.

³² Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #6), contained in file Sodexo Simandou Interviews 8/4/2010, p. 4.

³³ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #5), contained in file Sodexo Simandou Interviews 8/4/2010, p. 4.

³⁴ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #4), contained in file Sodexo Simandou Interviews 8/4/2010, p. 3.

³⁵ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #11), contained in file Sodexo Simandou ATestimonies, p. 3.

³⁶ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #8), contained in file Sodexo Simandou ATestimonies, p. 1.

³⁷ U.S. Department of State, "Background Notes: Morocco," January 26, 2010, available at <http://www.state.gov/r/pa/ei/bgn/5431.htm>, accessed September 28, 2010.

³⁸ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 2; Compilation of contract awards from Sodexo annual earnings statements.

³⁹ According to the U.S. Department of State, "The minimum wage was 10 dirhams (\$1.25) per hour in the industrialized sector and 52.50 dirhams (\$6.50) per day for agricultural workers." The Dollar and Euro conversions included above is adjusted for current exchange rates. See U.S. Department of State, 2009 Human Rights Practices: Morocco, available at <http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136075.htm>, accessed October 6, 2010. All conversions to Euros and U.S. Dollars in this report from dhs are based on the following exchange rates

as of September 28, 2010 as provided at <http://www.oanda.com/currency/converter/>: 1 dhs= €0.08862, 1 dhs= \$0.11937.

⁴⁰ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 3.

⁴¹ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 3.

⁴² One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 3.

⁴³ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 3.

⁴⁴ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 4.

⁴⁵ Pay stub obtained from a Sodexo worker in Morocco during an interview.

⁴⁶ Morocco Labor Code, Article 350, contained in the Royayme de Maroc Bulletin Officiel, p. 635.

⁴⁷ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 4.

⁴⁸ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 4.

⁴⁹ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 5.

⁵⁰ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 6.

⁵¹ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 6-7.

⁵² Barrick Gold web site,

<http://www.barrick.com/GlobalOperations/NorthAmerica/PuebloViejoProject/default.aspx>, accessed September 30, 2010.

⁵³ Yahoo Finance, price of gold per ounce as of September 30, 2010, was \$1,350.50.

⁵⁴ Interview conducted by SEIU, June 20, 2010, contained in file 20100620 Maimon Interview English, p.2-3

⁵⁵ Interview conducted by SEIU, August 5, 2010, contained in file 20100805_DR Interview2_English, p. 5.

⁵⁶ Interview conducted by SEIU, August 5, 2010, contained in file 20100805_DR Interview2_English, p. 6.

⁵⁷ Interview conducted by SEIU, August 5, 2010, contained in file 20100805_DR Interview2_English, p. 1.

⁵⁸ Sodexo 2006-2007 Fiscal Reference Document, p. 15.

⁵⁹ Sodexo 2009 Fiscal Reference Document, p. 28.

⁶⁰ Compilation of contract awards from Sodexo annual earnings statements.

⁶¹ "India Still Suffers from Huge Income Gap," *One World South Asia*, available at

<http://southasia.oneworld.net/Article/india-still-suffers-from-huge-income-gap>, accessed October 1, 2010.

⁶² Interview conducted on behalf of SEIU with Sodexo workers in Delhi (Interview #1), contained in file TranslatedInterviews.Delhi1, p. 2.

⁶³ Currency conversions from Indian Rupees (INR) to U.S. Dollars, the British Pound, and the Euro use the exchange rate on September 30, 2010 (1 INR=\$0.02228, 1 INR=€0.01637) as provided at <http://www.oanda.com/>.

⁶⁴ Labour Department, Haryana web site, "Rates of Minimum Wages w.e.f. 01-01-2010 in State of Haryana," available at <http://hrylabour.gov.in/>, accessed October 1, 2010.

⁶⁵ Interview conducted on behalf of SEIU with Sodexo workers in Delhi (Interview #4), contained in file TranslatedInterviews.Delhi1, p. 2.

⁶⁶ Interview conducted on behalf of SEIU with Sodexo workers in Delhi (Interview #4), contained in file TranslatedInterviews.Delhi1, p. 2.

⁶⁷ Interview conducted on behalf of SEIU with Sodexo workers in Delhi (Interview #1), contained in file TranslatedInterviews.Delhi1, p. 1.

⁶⁸ Interview conducted on behalf of SEIU with Sodexo workers in Delhi (Interview #1), contained in file TranslatedInterviews.Delhi1, p. 1.

⁶⁹ Pay stub obtained from a Sodexo worker at the National Chocolate Company. All conversions to Euros and U.S. Dollars in this report from Colombian Pesos are based on the following exchange rates as of September 27, 2010 as provided at <http://www.oanda.com/currency/converter/>: 1 Colombian Peso= €0.00040, 1 Colombian peso= \$0.00054.

⁷⁰ Interview with a Sodexo worker at the La Jagua mine, contained in file Clip #22-Priority 1_English, p. 2.

⁷¹ Interview with a Sodexo worker at the National Chocolate Company, contained in in file Colombia Interviews - National Chocolate - Combined, p. 12.

⁷² Interview with Turkish Sodexo employee, contained in file mulakat_2_English, p. 1.

⁷³ Interview with Turkish Sodexo employee, contained in file mulakat_2_English, p. 3.

⁷⁴ U.S. Department of State, "2009 Human Rights Reports: Turkey," March 11, 2010, available at

<http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136062.htm>, accessed September 28, 2010.

⁷⁵ "Hunger threshold in Turkey put as 816 TL," World Bulletin, August 26, 2010, available at

http://www.worldbulletin.net/news_detail.php?id=63057, accessed October 1, 2010.

⁷⁶ Pay stub of a Sodexo worker obtained by SEIU.

⁷⁷ SEIU analysis of wage data; U.S. Dept. of Health and Human Services, Poverty Guidelines for the Remainder of 2010, August 2010, available at <http://aspe.hhs.gov/poverty/10poverty.shtml>.

⁷⁸ U.S. Dept. of Health and Human Services, Poverty Guidelines for the Remainder of 2010, August 2010, available at <http://aspe.hhs.gov/poverty/10poverty.shtml>.

⁷⁹ Interview with Joyce Bradley conducted by SEIU.

⁸⁰ Interview with Marcia Snell conducted by SEIU.

⁸¹ Jason DeParle and Robert Gebeloff, "Food Stamp Use Soars, and Stigma Fades," *New York Times*, November 29, 2009.

⁸² U.S. Department of Agriculture, Food and Nutrition Service, SNAP Eligibility Guidelines, available at http://www.fns.usda.gov/FSP/applicant_recipients/eligibility.htm.

⁸³ WIC guidelines are determined by state-by-state, but income limit cannot has to be set between 100% and than 185% of the federal poverty guidelines. See <http://www.fns.usda.gov/wic/howtoapply/eligibilityrequirements.htm>.

⁸⁴ Children are eligible for free meals through the National School Lunch Program if their household income is below 130% of the poverty line, and for reduced-price meals if their income is below 185% of the poverty line. See <http://www.fns.usda.gov/cnd/Governance/notices/iegs/IEGs09-10.pdf>.

⁸⁵ United Nations' Universal Declaration of Human Rights, Article 23, Available at <http://www.un.org/en/documents/udhr/index.shtml>, accessed September 24, 2010.

⁸⁶ <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C098>

⁸⁷ International Labour Organization, "Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy," p. 8 (p. 14 of PDF file), available at http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_094386.pdf, accessed September 29, 2010.

⁸⁸ Global Sullivan Principles of Social Responsibility, available at <http://www.globalsullivanprinciples.org/principles.htm>, accessed September 29, 2010.

⁸⁹ United Nations Global Compact, p. 6, available at http://www.unglobalcompact.org/docs/news_events/8.1/GC_brochure_FINAL.pdf, accessed September 29, 2010.

⁹⁰ See, for example, Sodexo USA's statements on labor unions, available at <http://www.sodexousa.com/usen/aboutus/factsheets/laborunion.asp> (accessed September 29, 2010), and Sodexo's Better Tomorrow Plan, available at <http://www.sodexousa.com/usen/citizenship/citizenship.asp>, accessed September 29, 2010.

⁹¹ International Trade Union Confederation, Annual Survey of Violations of Trade Union Rights 2009, available at <http://survey09.ituc-csi.org/survey.php?IDContinent=2&IDCountry=COL&Lang=EN>, accessed July 25, 2010.

⁹² U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, "2009 Human Rights Report: Colombia," available at <http://www.state.gov/g/drl/rls/hrrpt/2009/wha/136106.htm>, accessed September 26, 2010.

⁹³ "Sodexo creció 23 por ciento a marzo," available at <http://www.portafolio.com.co/archivo/documento/MAM-3449243>, accessed September 30, 2010.

⁹⁴ Compilation of contract awards from Sodexo annual earnings statements.

⁹⁵ Interview with Manuel Martinez, contained in file Colombia Interviews - National Chocolate – Combined, p. 72-73.

⁹⁶ Interview with Sodexo worker at National Chocolate Company, contained in file contained in in file Colombia Interviews - National Chocolate – Combined, p. 10.

⁹⁷ Interview with Manuel Martinez, contained in in file Colombia Interviews - National Chocolate – Combined, p. 73.

⁹⁸ Signed Statement of Manuel Martinez, October 5, 2010.

⁹⁹ Interview with Celicia Avila, contained in file Colombia Interviews - National Chocolate – Combined, p. 29.

¹⁰⁰ Interview with Celicia Avila, contained in file Colombia Interviews - National Chocolate – Combined, p. 33.

¹⁰¹ Interview with Agripina Pérez, contained in file Colombia Interviews - National Chocolate – Combined, p. 39.

¹⁰² Interview with Sodexo worker at National Chocolate Company, contained in file contained in in file Colombia Interviews - National Chocolate – Combined, p. 10.

Interview with Manuel Martinez, contained in in file Colombia Interviews - National Chocolate – Combined, p. 75.

¹⁰³ Interview with Manuel Martinez, contained in in file Colombia Interviews - National Chocolate – Combined, p. 75.

¹⁰⁴ Interview with Blanca Bustos, contained in in file Colombia Interviews - National Chocolate – Combined, p. 2;

Interview with Agripina Pérez, contained in file Colombia Interviews - National Chocolate – Combined, p. 42-43.

¹⁰⁵ Signed Statement of Manuel Martinez, October 5, 2010.

¹⁰⁶ Statement from SINALTRAINAL, "Multinacional Sodexo, Viola el Derecho de Asociación y Libertad Sindical"

¹⁰⁷ Letter from the CGT to Mr Rémy Rioux, Under Manager of International Financial Business and Development, Ministry of the Economy of Finances and Jobs, July 30, 2010, p. 8.

¹⁰⁸ Letter from SEIU to U.S. National Contact Point, Director—Office of Investment Affairs, U.S. Department of State, July 31, 2010.

¹⁰⁹ Letter from Pablo de La Rosa, President of Fentiahbeta, to Paul Deighton, CEO of the London Organising Committee of the Games, September 2, 2010.

¹¹⁰ Letter from Pablo de La Rosa, President of Fentiahbeta, to Paul Deighton, CEO of the London Organising Committee of the Games, September 2, 2010.

¹¹¹ International Labour Organization, List of Nations Ratifying Convention 87, available at <http://www.ilo.org/ilolex/english/convdisp1.htm>, accessed September 28, 2010.

¹¹² International Labour Organization, “C87 Freedom of Association and Protection of the Right to Organise Convention, 1948,” available at <http://www.ilo.org/ilolex/english/convdisp1.htm>, accessed September 28, 2010.

¹¹³ International Trade Union Confederation, Annual Survey of Violations of Trade Union Rights 2009, available at <http://survey09.ituc-csi.org/survey.php?IDContinent=1&IDCountry=MAR&Lang=EN>, accessed September 28, 2010.

¹¹⁴ One World Research, “Report on Conditions of Sodexo Employees in Morocco,” October 2010, p. 8-9.

¹¹⁵ Human Rights Watch, “A Strange Case Violations of Workers’ Freedom of Association in the United States by European Multinational Corporations,” September 2010, p. 60.

¹¹⁶ *Ibid.*, p. 69-77.

¹¹⁷ *Ibid.*, p. 61.

¹¹⁸ *Ibid.*, p. 69.

¹¹⁹ National Labor Relations Board, Order Consolidating Cases, Consolidated Complaint, and Notice of Hearing, Cases 9-CA-45474 and 9-CA-45475, August 25, 2010.

¹²⁰ Settlement Agreement between the National Labor Relations Board and Sodexo Inc., Case No. 4-CA-37334, July 2, 2010.

¹²¹ Settlement Agreement between the National Labor Relations Board and Sodexo Inc., Case No. 22-CA-29322, May 28, 2010.

¹²² Settlement Agreement between the National Labor Relations Board and Sodexo Inc., Case No. 32-CA-24981, July 10, 2010.

¹²³ According to a summary of labor practices in Colombia prepared by the U.S. Department of Labor’s Bureau of International Labor Affairs, “The official work day in Colombia is from 6 a.m. to 10 p.m., while night work is conducted between 10 p.m. and 6 a.m. Individuals performing night work receive premium pay — 35 percent extra in wages than daytime workers in the same position.” U.S. Department of Labor, Bureau of International Labor Affairs, Colombia Labor Rights Report, p. 41.

¹²⁴ Interview with Blanca Bustos, contained in in file Colombia Interviews - National Chocolate – Combined, p. 8.

¹²⁵ Interview with Manuel Martinez, contained in in file Colombia Interviews - National Chocolate – Combined, p. 70.

¹²⁶ Interview with Manuel Martinez, contained in in file Colombia Interviews - National Chocolate – Combined, p. 71-72.

¹²⁷ See, for example, Interview with Sodexo worker at La Jagua mine, contained in file 696-9236_Clip#23-priority 2_English, p. 3; Interview with Sodexo worker at La Jagua mine, contained in file 696-9236_Clip#13-priority 1_English, p. 2; and examples below.

¹²⁸ Interview conducted by Tierra Digna with Sodexo worker at la Jagua Mine.

¹²⁹ Interview conducted by Tierra Digna with Sodexo worker at la Jagua Mine, and Interview conducted by SEIU with workers at La Jagua mine (Interview segment #23), 08/11/10, p.3.

¹³⁰ Interview conducted by Tierra Digna with Sodexo worker at la Jagua Mine, and Interview conducted by SEIU with workers at La Jagua mine (Interview segment #14), 08/11/10.

¹³¹ Interview with Sodexo worker at LaJagua mine, September 12, 2010, contained in document September 12 La Jagua Interview MS, p. 19.

¹³² Interview with Germán Albor, September 11, 2010, contained in file 6 Informe Narrativo Viaje la Jagua, p. 1.

¹³³ Interview with Germán Albor, September 11, 2010, contained in file 6 Informe Narrativo Viaje la Jagua, p. 1.

¹³⁴ Interview with Germán Albor, September 11, 2010, contained in file 6 Informe Narrativo Viaje la Jagua, p. 3.

¹³⁵ Interview with Germán Albor, September 11, 2010, contained in file 6 Informe Narrativo Viaje la Jagua, p. 4.

¹³⁶ U.S. Department of Labor, Bureau of International Labor Affairs, Morocco Labor Rights Report, July 2004, p. 23. The DOL report references Sections 184 of the Morocco Labor Code (length of workday and workweek), Article 196 (permission of overtime in certain circumstances), and Article 201 (premium pay for overtime hours). In addition, according to the U.S. Department of State, “The law provides for a 44- to 48-hour maximum workweek, with no more than 10 hours in any single day, premium pay for overtime, paid public and annual holidays, and minimum conditions for health and safety, including a prohibition on night work for women and minors.

Employers did not observe these provisions universally, and the government did not enforce them effectively in all sectors." U.S. Department of State, "2009 Human Rights Practices: Morocco," March 11, 2010, available at <http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136075.htm>, accessed September 28, 2010.

¹³⁷ Notes from worker interviews conducted in Casablanca, October 1-2, 2010.

¹³⁸ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 5.

¹³⁹ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 5.

¹⁴⁰ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 6. See also, for example, One World Research, Interview Notes, August 20, 2010, p. 6 [contract states working hours of 7 a.m. to 4 p.m. while in reality 'very often he does not leave work before 6 p.m. He does not get paid for these extra hours. He does not get a break during his day of work.']; p. 7 [contract states hours of 7 a.m. to 4:30 p.m. but in reality "6 a.m. until the work is done (often 5 or 6 p.m.). He does not get paid for these extra hours.]; p. 9 [hours according to the contract are 7 a.m. to 4 p.m. though in reality "6 a.m. to 7 p.m. She does not get paid for the extra hours. Sometimes she has to work her day off (week end) without getting any compensation.']; p. 11 [contract states hours of 7 a.m. to 4 p.m. but in reality "7 a.m. until the work is done (often 5 or 6 pm). He does not get paid for these extra hours. He does not get a break during his day, not even for lunch."]

¹⁴¹ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #1), contained in file Sodexo Simandou Interviews 8/4/2010, p. 1.

¹⁴² Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #2), contained in file Sodexo Simandou Interviews 8/4/2010, p. 2.

¹⁴³ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #4), contained in file Sodexo Simandou Interviews 8/4/2010, p. 3-4.

¹⁴⁴ Interview conducted on behalf of SEIU with Sodexo workers in Delhi (Interview #4), contained in file TranslatedInterviews.Delhi1, p. 2.

¹⁴⁵ Interview conducted with worker in the Dominican Republic, contained in file KM Interview English, p. 3.

¹⁴⁶ UN PRI "Record number of global investors commit to PRI," September 29, 2010, available at http://www.unpri.org/files/2010_Report-on-progress-press-release.pdf, accessed October 4, 2010.

¹⁴⁷ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #2), contained in file contained in file Sodexo Simandou Interviews 8/4/2010, p. 2.

¹⁴⁸ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #5), contained in file contained in file Sodexo Simandou Interviews 8/4/2010, p. 4.

¹⁴⁹ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #7), contained in file Sodexo Simandou Interviews 8/4/2010, p. 5.

¹⁵⁰ Interview with Blanca Bustos, contained in in file Colombia Interviews - National Chocolate - Combined, p. 5-6.

¹⁵¹ U.S. Department of Labor, Bureau of International Labor Affairs, Colombia Labor Rights Report, p. 42.

¹⁵² Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #1), contained in file Sodexo Simandou Interviews 8/4/2010, p. 1.

¹⁵³ Interview conducted on behalf of SEIU with Sodexo workers at Simandou mine (Interview #2), contained in file Sodexo Simandou Interviews 8/4/2010, p. 2.

¹⁵⁴ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 7.

¹⁵⁵ Letter from Workers United, an SEIU affiliate, to the Cleveland, Ohio, Area Director for the U.S. Occupational Safety and Health Administration, June 21, 2010.

¹⁵⁶ Spreadsheet compiled by Workers United, an SEIU affiliate, of Sodexo OSHA violations, contained in file "osha enforcement status 9-15-10.

¹⁵⁷ OSHA inspections #3083237999; #310286950 and #310288790.

¹⁵⁸ OSHA inspection # 312635337

¹⁵⁹ OSHA inspections #311614507 and #311782718

¹⁶⁰ *Ibid.*, p. 2-3.

¹⁶¹ World Bank Group, Corporate Social Responsible Practice, *Strengthening Implementation of Corporate Social Responsibility in Global Supply Chains*, p. 1.

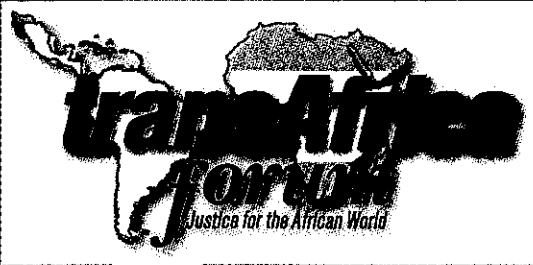
¹⁶² *Ibid.*, p. 2-3.

¹⁶³ Clean Clothes Campaign, *Looking for a Quick Fix*, p. 18.

¹⁶⁴ One World Research, "Report on Conditions of Sodexo Employees in Morocco," October 2010, p. 8.

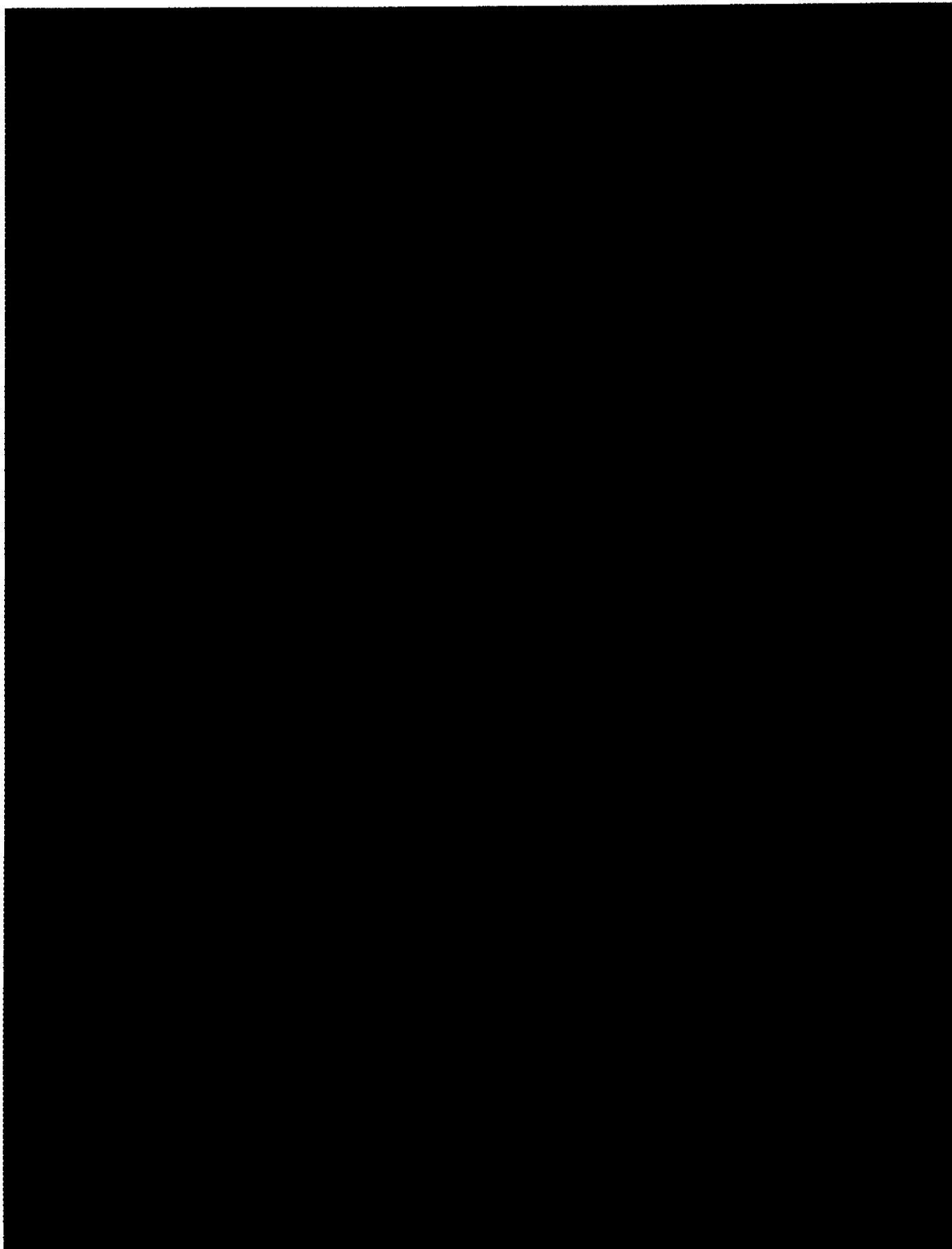
¹⁶⁵ Workers Rights Consortium web site, <http://www.workersrights.org/about/>, accessed July 22, 2010.

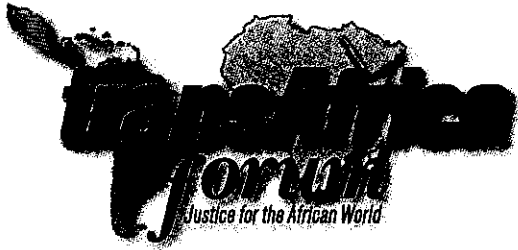
EXHIBIT 26



VOICES FOR CHANGE

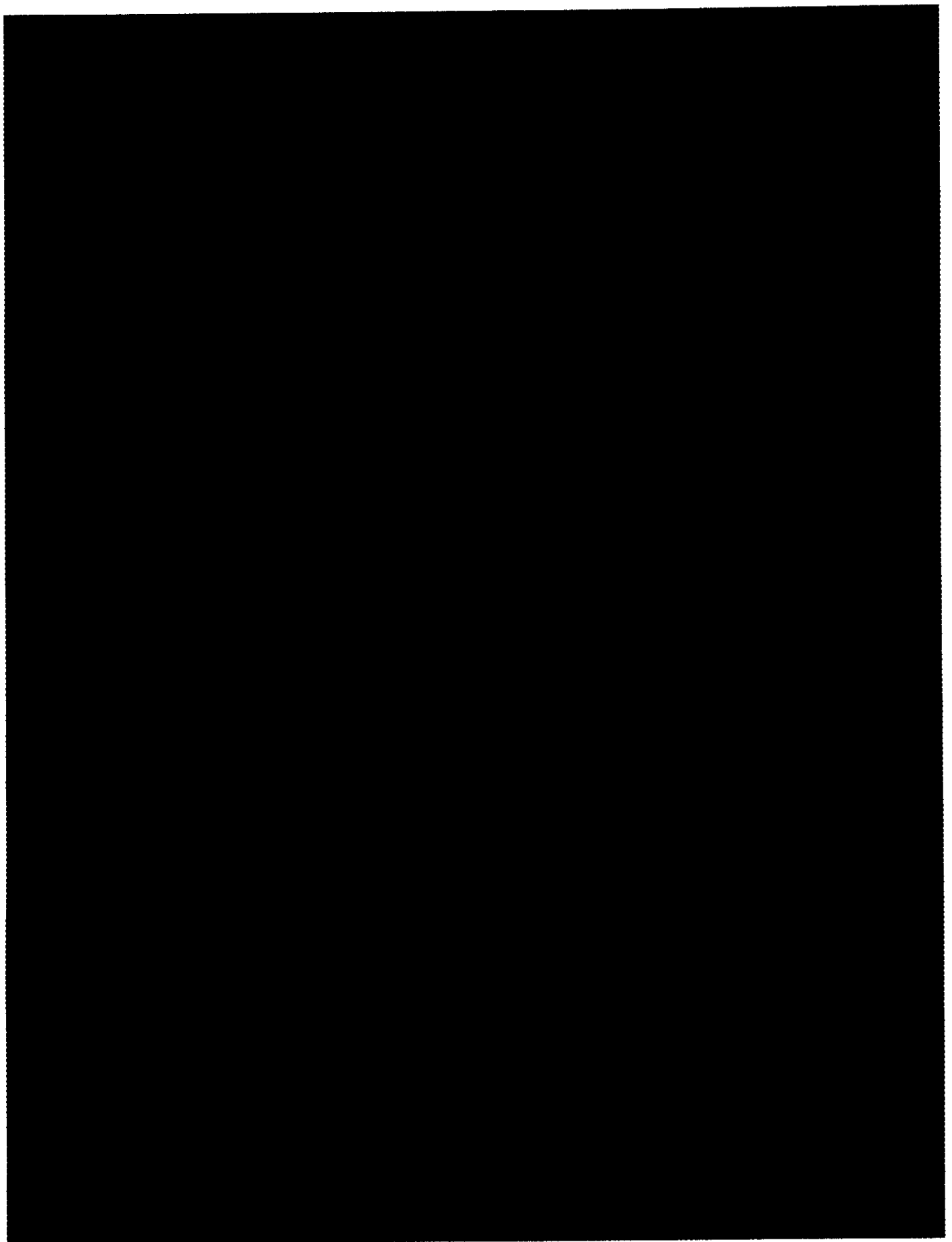
Sodexo Workers From Five
Countries Speak Out





VOICES FOR CHANGE

Sodexo Workers From Five
Countries Speak Out



Message from Danny Glover, Chair of the Board of Directors of TransAfrica Forum

TransAfrica Forum's Sodexo report is the result of months of in-country interviews with Sodexo workers, union leaders, environmental and community activists.

It tells the story of workers who are trapped in poverty by a powerful global company—and then in these cases harassed, threatened and fired when they speak up for their rights. Workers in five countries told TransAfrica's researchers chilling stories: in one country of forced pregnancy tests, elsewhere spoke of food poisoning due to being forced to eat rancid food, and in yet another country workers talked about preventable injuries caused by inadequate training and lack of proper protective gear.

Rightfully, many of the Sodexo workers refuse to be silenced. The workers who spoke to us did so under what they believe was the threat of dismissal. Sodexo workers in Colombia, the Dominican Republic, France and the United States—and union leaders in the United Kingdom, Turkey, Morocco and Peru—are standing up and demanding Sodexo respect workers basic human rights and the right to earn a fair wage for a day's work.

I have spent my life helping to give a voice to the voiceless—in the United States, South Africa, Mexico and around the world. I am proud to raise my voice for Sodexo workers everywhere who are speaking out and organizing for a better life for themselves and their co-workers.

Over the next few months, we will follow up on the stories in this report and expand our investigation into more countries. It is our hope to shine a spotlight on the working and living conditions of Sodexo workers around the world, and help those workers access their basic rights to improve their lives and their communities.

TransAfrica Forum is grateful for the assistance of organizations and individuals who made this research project possible. We are particularly appreciative of the time and information shared by current and former Sodexo employees throughout their respective countries, given their concerns over the additional risks their involvement could pose to their job security. Additionally, our work could not have been done without the knowledge and assistance of the members of the workers solidarity community, including Tierra Digna, as well as the independent research by investigative journalist Kate Thomas.



Danny Glover
Chair
Board of Directors
TransAfrica Forum Inc.

Executive Summary

Sodexo is an international food and facilities management company with 380,000 employees in 80 countries.¹ Around the world, its workers argue that Sodexo's employment practices violate their workers' human right to their own livelihood. Sodexo routinely hires poor and undereducated workers who are often geographically isolated, pays them low wages, and at times, reportedly fails to pay in full for hours worked including overtime pay. Concerns over perceived Sodexo practices described by workers interviewed for this report include docking the payroll of employees for meals they cannot eat due to the heavy workload and long hours. Sodexo employees also reported being denied breaks during the day. The business model Sodexo employs keeps workers poor and locks their communities into seemingly endless cycles of poverty.

Meanwhile, Sodexo continues to report impressive profits and publicly claims to uphold high standards when it comes to human rights and labor practices. Within its own corporate mission statement, Sodexo distinguishes itself from other transnational corporations by emphasizing a commitment to provide secure and stable work conditions, and to workers' right to freedom of association.

Sodexo is merely one example of international corporations taking advantage of marginalized and isolated populations in countries around the world with generally low human rights and labor standards. Sodexo has an obligation to live up to international standards of human and labor rights and to abide by domestic labor laws within the countries it operates. It also has an obligation to its internal proclaimed commitment to worker safety, economic viability and compensation.

As the firsthand accounts of Sodexo workers interviewed for this report show, Sodexo may not be living up to those standards. In this report, workers at Sodexo sites in five countries—Colombia, the Dominican Republic, Guinea, Morocco and the United States—discuss their experiences with Sodexo's employment practices. The report compares these workers' experiences to the image Sodexo tries to portray as a company that supports economic opportunity and respects its workers' right to freedom of association. The findings of these interviews can be summarized as follows:

Disregard for Human Rights and Dignity of Workers

Sodexo employees interviewed recounted a lack of adequate worker protections available to employees during their daily tasks. They recounted a limited response to diagnosed health issues and clear differences in treatment between domestic workers and international management staff.

- In **Colombia**, Sodexo has reportedly required some female job applicants in Bogotá to take pregnancy tests as a condition of employment or for the renewal of a contract.

- In **Guinea**, Sodexo workers report that all Guinean employees—including managers—eat in a separate canteen from the European and other employees at the Simandou mine.
- In the **Dominican Republic, Guinea, Morocco and the United States**, workers describe health and safety problems and allege the company has been unresponsive and, in some cases, workers felt their employment could be at risk when they raised safety concerns with management.

Payment of Poverty Wages All Over the World

Sodexo consistently fails to live up to the standard set forth in the Universal Declaration of Human Rights that “everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity.”² Sodexo’s examples include:

- In **Guinea**, Sodexo workers who service the Simandou iron mine—which promises ore worth \$30 billion to \$40 billion over its operating life—report making as little as 33 cents/€0.2 per hour. Over the course of a month, that comes out to just \$78/€60.
- In the **Dominican Republic**, Sodexo workers at the Pueblo Viejo gold mine—which expects to generate revenues of \$32 billion over its lifetime—say they make as little as \$224.30/€163.78 per month.
- In **Colombia**, workers described salaries that are often no greater than the legal minimum wage of \$283.24/€211.14 per month.
- In the **United States**, many Sodexo workers report they earn so little they qualify for federal anti-poverty programs and are pro-actively denied requests for overtime.

Concerns That Sodexo Workers Are Not Always Paid for All the Hours They Work

Not only does Sodexo pay wages that are less than the value of the work they perform, workers interviewed in several countries felt they are not always paid for all the hours they work. For example:

- In **Colombia**, there are concerns that Sodexo has reportedly underpaid workers for hours worked at worksites in Bogotá and at the Carbones de la Jagua mine.
- In **Guinea**, some workers report that long, unpaid transportation times on the company’s bus to their jobs at the Simandou mine—the only realistic way to get to the site without owning your own vehicle—adds an even greater hardship to an already difficult situation.
- In **Morocco**, an emerging financial and business hub where many French businesses set up shop, Sodexo employees claim they can effectively end up working three to four hours per day without pay, which is a particular burden since their wages hover just above the country’s minimum wage (as little as \$251.77/€186.91 per month).

Sodexo Interferes with Workers' Right to Freedom of Association

Freedom of association—including the right to form trade unions—has been repeatedly acknowledged as a fundamental human right. Sodexo purports to support its workers' rights to join unions, but workers interviewed for this report raised substantive concerns to the contrary, questioning Sodexo's professed commitments to human rights norms. For example:

- In **Colombia**, a country where efforts by workers to form a union have long been faced with harsh responses from employers, Sodexo is perceived to have fired workers in Bogotá in retaliation for the exercise of their associational rights and concerns have been voiced of intimidation and other threatening tactics to seemingly discourage unionization.
- In the **United States**, Human Rights Watch recently issued a report that stated, "Despite claims of adherence to international standards on workers' freedom of association, Sodexo launched aggressive campaigns against some of its U.S. employees' efforts to form unions and bargain collectively."³
- In the **Dominican Republic** and **Morocco**, workers interviewed for this report felt that Sodexo's stance had resulted in an atmosphere of fear and intimidation when workers seek to form a union. For example, in the Dominican Republic, a group of workers at the Pueblo Viejo mine decided to organize a short work stoppage to bring the issue of low wages to the attention of management. Two days after the work stoppage, the main leader of the protest says she was fired.

A Global Path Forward for Sodexo

Firsthand accounts in this report suggest that Sodexo's own code of conduct and stated commitment to basic global standards of corporate responsibility—no matter how strong they look on paper—fall short to protect workers on the ground. In the long run, TransAfrica Forum believes the best way to ensure Sodexo adheres to responsible labor standards is through the ongoing effective monitoring and compliance with national laws within the countries in which it operates. Sodexo must additionally abide by International Labor Organization (ILO) standards for worker wages, protection and freedom of association. Protection to workers could come through the negotiation of a global agreement with the Global Union Federation, ensuring all Sodexo workers have the right to organize trade unions free from company intimidation. Such an agreement would ensure that workers have access to the most efficient, effective means of creating and enforcing appropriate standards that comply with established global codes for labor and human rights.

Sodexo Disregards the Human Rights and Dignity of Workers

Workers interviewed felt they had experienced discrimination and what they considered to be poor health and safety conditions. Such concerns contrast with a stated corporate commitment by Sodexo to the protection and support of their employees. These may be early warning signs about possible problems with a company's social performance that can have a long-term financial impact.

Separate and Unequal Treatment

Guinea

Workers report that there are separate canteens for expatriate managers and Guinean managers and workers.

"The cooking for the Europeans is awesome, they have everything they want. But the canteen for us...sometimes you turn up and they don't have anything for us to eat."

—Sodexo warehouse worker⁴

"We know that the expats have an amazing canteen because I have friends who work there. But we're not even allowed to go and get a banana from there. The expats eat among themselves. Even the Guinean management staff—from all companies, yes, Sodexo, yes, SML—eat in the same canteen as us. I know that the expats have their own bars and shops too but even my friends who live on-site are not allowed in them."

—Day laborer⁵

"The expats at the site, all the expats from all different parts of the world, from all different companies because there are lots of companies up at the site, they eat really good food. At least it looks good. There are lots of European dishes. They are mostly all white, the expats who eat in that canteen."

—Canteen security guard employed by Inter-Con subcontractor⁶

Unsafe Working Conditions

Colombia

At the Carbones de la Jagua mine, workers interviewed believe Sodexo served both mine employees and its own employees spoiled food. In one case, this resulted in more than 60 workers contracting food poisoning. Sodexo workers at the Carbones de la Jagua mine, and officials of the miners' union, expressed concerns that the company would have committed serious violations of Colombian and international health standards by serving spoiled, insufficiently cooked and unhygienic food to the miners and to Sodexo employees. According to worker testimony, the company served food in a state of advanced decomposition (a fact reportedly obvious to workers both from the food's smell and appearance) and raw or only partially cooked meat. According to workers, the problem is so severe that Sodexo employees often refuse to eat the food; opting instead to spend their limited income on alternative sustenance.

There is also powerful evidence in public records pointing to apparent substandard practices by Sodexo regarding food safety. On Aug. 12, 2009, Sintramienergetica submitted a formal complaint to an inspector of the Colombian Ministry of Labor and Social Protection.⁷ The complaint alleged that 64 Carbones de la Jagua workers became ill on Aug. 4, 2009, after consuming food provided by Sodexo and were forced to seek medical attention at clinics and hospitals in the area. The complaint further alleged that four of these workers were hospitalized with a diagnosis of food poisoning. The complaint asked the ministry to investigate another alleged serious incident involving the serving of dangerous food. The complaint named both Sodexo and the miners' direct employer, Carbones de la Jagua, for which Sodexo provides food services.

According to testimony from both Sodexo workers and miners employed at Carbones de la Jagua, Sodexo also fails to provide personal protective equipment to Sodexo employees who are required to enter the mine to perform their duties. Adequate safety equipment—which includes hardhats, protective glasses, boots and vests—is required by Colombian law to be provided by employers to individuals entering a mine.⁸ According to worker testimony, Sodexo's failure to provide essential safety equipment forces workers to obtain the equipment from alternate sources, either by borrowing or buying equipment out of their own pocket.

Dominican Republic

In the Dominican Republic, workers feel that Sodexo management dismisses and ignores their documented claims of health issues related to their workplace. Health concerns, particularly those created and exacerbated by specific job tasks, have reportedly been inadequately addressed, if at all, by Sodexo. One employee interviewed said he reported a loose grating at his worksite. According to this worker, the problem was not addressed by Sodexo and the worker later slipped on the loose grating, injuring his back. When he returned from the infirmary, the grating had been fixed, but he claims Sodexo did not publicly take responsibility for the accident.⁹

For Sodexo workers at the Pueblo Viejo mine, long-term health problems are prevalent, yet rarely addressed. Workers say they are expected to return to work quickly and often expected to perform the same tasks that may have caused their injury. One worker reported a herniated disk in her back which was diagnosed after eight months of working for Sodexo. Due to her injury, her doctor asked that she take a leave of absence from work, and upon her return, request that her daily duties be changed to ones that are less physically taxing.

When this employee brought her doctor's note to her supervisor, she alleged he threw it in the trash, accusing her of paying the doctor to give her a note and stated there is nothing wrong with her. Although she has asked for a change in her daily duties to protect her health, she reported that her request was not granted. When discussing her supervisor's response, she summarized her perception of the general work environment as: "It is with fear that one works, you work in fear with him." Because of her need for money, she continues to go to work, despite the pain in her back and against the recommendations of her doctor.¹⁰

According to Sodexo workers of the Pueblo Viejo mine, a colleague had asked for her daily duties to be changed because she discovered that she was pregnant. The workers claim that Sodexo required the colleague take a pregnancy test to prove her pregnancy prior to getting a different work assignment. She was eventually moved to work in the laundry room, where her tasks included standing for long periods and working amidst extremely hot machines.

Also at the Pueblo Viejo mine, a case of food poisoning caused hundreds of mine workers to become ill. The case at the mine received national coverage throughout the Dominican Republic when it broke in March 2010. Sodexo eventually admitted responsibility for the food poisoning and it was clear that unsafe food was served and caused the illnesses.¹¹ Workers interviewed for this

report were part of the team who say they informed Sodexo management that this batch of food looked decomposed and bubbly. The workers maintain the rotten food was notwithstanding this distributed to the employees of the mine.¹²

Guinea

Workers in Guinea told interviewers they face harsh working conditions:

"We work with chemical products and that's not particularly good for our health. Sometimes they send us gloves that are kind of appropriate for the work, sometimes they say that there aren't enough for us. And we're just expected to work without them."

—Sodexo maintenance worker¹³

"There is no shade where we work, everything is outside. We spend all day there; outside in the heat. We've asked and asked and asked for shade that we can rest in, but it's impossible. We'd like a place where we can rest after customers come with deliveries. They've never done anything about it."

—Sodexo warehouse worker¹⁴

Morocco

Sodexo workers in Morocco told interviewers their work was often too hard for them and resulted in injuries. One worker reported the kitchen equipment was broken, despite having reported the issue to management. He says he was burned while preparing food and claims he was discouraged from filing an accident report because of concerns it could cause Sodexo's insurance rates to increase. Another reported having to use chemicals to clean the kitchen without being provided gloves and masks, despite having requested the items from his manager.¹⁵

Sodexo Pays Poverty Wages Throughout the World

The ability to earn a fair wage that allows an individual to support his or her family is recognized as a fundamental human right. Article 23 of the United Nations' Universal Declaration of Human Rights states, "Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity."¹⁶ The interviews conducted for this report suggest that in countries around the world, Sodexo fails to meet this basic standard. While the company publishes numerous documents proclaiming its socially responsible values,¹⁷ Sodexo consistently supports unjust employment practices by hiring poor workers, then paying them low wages. This locks individuals and communities into seemingly endless cycles of poverty.

Colombia

Sodexo workers at the Compañía Nacional de Chocolates¹⁸ and Carbones de la Jagua coal mine¹⁹ both report their stated monthly salaries are right at the national minimum wage of 515,000 pesos per month (\$283.24/€211.14). That amount evaporates quickly when faced with regular family expenses. One Sodexo worker in Colombia describes the typical costs for his family as:²⁰

Monthly Expense	Amount in Colombian Pesos	Amount in US Dollars	Amount in Euros
Housing	160,000	\$88.00	€65.60
Food	250,000	\$137.50	€102.50
Water	64,000	\$35.20	€26.24
Telephone	60,000	\$33.00	€24.60
Electricity	31,000	\$17.05	€12.71
Gas	24,000	\$13.20	€9.84
Total	589,000	\$323.95	€241.49

In addition to low wages, workers claim that some of those employed at Carbones de la Jagua by Sodexo feel they have had no choice but to work overtime hours in excess of the country's legal maximum of 10 hours after overtime.

A number of Sodexo employees at the Carbones de la Jagua coal mine in the Cesar province of Colombia state they have regularly had to work shifts of 12 hours or longer (less short breaks and limited transit time) and to have had to work such shifts for at least 12 consecutive days without a day off. Workers report their shifts can start between 3 a.m. and 4 a.m. and not end until 3 p.m. or 4 p.m., or sometimes 7 p.m. or 8 p.m. Workers report their schedules normally consist of 12 straight days of these long shifts, and, in some cases, the company has required them to work up to 23 days without a day of rest.²¹

Such reported hours of work raise concerns of violations of Colombian law, which establishes a maximum workday of 10 hours (eight regular hours, plus two hours of overtime) and a maximum workweek of 60 hours (48 regular hours and no more than 12 hours of overtime).²² Instead of the maximum of 12 hours per week of overtime, Sodexo workers have on occasion ended up, according to their testimony, working upward of 25 hours per week of overtime and sometimes significantly more.²³

One worker said, "Our work schedule is from 3:30 a.m. until 3:30 p.m., every day... there was one week that I had to stay until almost 8 p.m. every day." Another worker testified: "Our regular work schedule was 12 days on, two days off. But one time, one of my co-workers worked for 22 days straight. One time I worked 18 days [consecutively]." Stated another: "For the first shift, the [company's] car would pick you up at 3 in the morning... We would work until 3 or 4 in the afternoon, but not always... sometimes we stayed until 7 p.m."²⁴

Employees emphasized the grueling nature of the work schedule and its physical and psychological impact. One worker testified: "The long shifts really

affected me. We would work and work and then our paycheck came and it was nothing. It wasn't fair. This work was exhausting. I was always so tired. I still have problems with my hands from working so much to serve the food, wash the dishes, do the cleaning..."

Concerns that employees have ended up working excessive overtime are supported by mutually corroborative testimony. This testimony was provided by Sodexo workers and from the leaders of Sintramienergetica, the union that represents the mine workers at Carbones de la Jagua. Both groups have direct knowledge of Sodexo's employment practices and the circumstances of its employees at the mine.

Such conditions also raise concerns of violations of international labor standards on hours of work. ILO Convention 1, which covers hours of work, has been ratified by Colombia and incorporated into its domestic legal order.²⁵ The convention limits working hours to a maximum of 56 hours per week, unless specifically authorized by government regulation following consultation with employer and worker representatives.²⁶ The ILO's Committee of Experts on the Application of Standards, the highest body responsible for interpreting its conventions, recently observed that Colombia has not adopted such regulations, and expressed concern regarding "the risk of possible abuse, particularly where [the law] enables an employer to vary his employees' work schedules unilaterally."²⁷ As the situation of Sodexo's employees at Carbones de La Jagua shows, the risk of such abuse is quite real.

Finally, Sodexo's practices in this area raise concerns in relation to violations of the company's own Supplier Code of Conduct, which requires compliance with all national laws limiting working hours.²⁸ On its corporate website, under the heading "Doing Business the Right Way," Sodexo states it applies these codes and standards to its own operations.²⁹

Dominican Republic

In the Dominican Republic, Sodexo employs several hundred workers to do catering and facilities management at the Pueblo Viejo gold mine. The mine, which is currently under construction, is a joint venture of Barrick Gold (which holds a 60 percent interest) and Goldcorp (which owns a 40 percent interest). The mine is expected to produce 23.7 million ounces of gold over its 25-year life.³⁰ At the current price of gold,³¹ that translates into revenues of approximately \$32 billion (€24 billion).

Despite the tremendous wealth the mine will generate, Sodexo workers at the site told interviewers they are paid poverty wages. One food service worker at the mine reports that she makes 8,400 pesos per month (\$224.30/€163.78), but she claims sometimes she had not received all the money which she considered she was entitled.

Workers claimed additional staff is not provided when workers are on sick leave, or are late for their shift. A worker reported frequently being expected to take on overtime hours when the people from the following shift do not appear. She claims that she has never been paid more than 8,400 pesos per month, regardless of the hours she works stating "when I work extra, I am not compensated."³²

Another worker who provides food preparation services expressed frustration with the low pay and general work environment at the mine, stating "that's a

The Pueblo Viejo mine is expected to generate \$32 billion in gold over its lifetime, but Sodexo workers at the mine claim they are barely enough to survive.

frustration for us because we don't work with a desire; one would be happy if we were at least paid what we are due." ³³

Guinea

In the Republic of Guinea Sodexo provides a range of services at the Simandou iron ore mine. These services include security, groundskeeping, airport staff, administrative assistants, health and safety assistants, maintenance staff, manual laborers, warehouse staff, mechanics and drivers.³⁴ The mine is operated by global mining giant Rio Tinto, which is currently investing \$10 million a month in drilling and other services to support development of the mine and expects that at least \$6 billion of additional investment will be needed to make the site fully operational.³⁵ Over its lifetime, the mine is expected to generate ore worth between \$30 billion and \$40 billion—more than 10 times Guinea's total current economic output.³⁶ Simandou is owned by a joint venture of Rio Tinto and Aluminum Corp. of China Limited (CHALCO), along with a 5 percent investment by the International Finance Corp., an arm of the World Bank.³⁷

Despite the massive level of investment in the mining industry, Guinea remains one of the poorest countries in the world. The United Nations' Human Development Index ranks Guinea 170 out of the 182 countries.³⁸ The World Food Programme rates Guinea as "alarming" on its Global Hunger Index and reports that 24 percent of the population is malnourished.³⁹

The economic situation in the country was made even more precarious by an unstable political climate. A December 2009 Human Rights Watch report indicated Guinean government security forces had been responsible for the Sept. 28, 2009, massacre and rapes of opposition group supporters gathered at a stadium in the nation's capital.⁴⁰

Sodexo's wages only contribute to the region's poverty crisis. According to interviews conducted by the researchers in Guinea, the monthly wages paid to at least some Sodexo workers appear to range from \$58.50/€45 (450,000 GNF⁴¹) to \$208 /€160 (1.6 million GNF⁴²). One worker interviewed reported making just 38 cents (US) per hour (in Euros, €0.29).⁴³

The wages described by these workers are hardly enough to afford even the most fundamental human needs for food and shelter—a mud hut with a straw roof, a typical evening meal of rice and peanut sauce with some meat on occasion, the most basic medical care, a few household items.⁴⁴ The family budget below, based on families in the village of Moribadou, should be viewed simply as a baseline for survival, not the threshold for the "existence worthy of human dignity" called for in the Universal Declaration of Human Rights. In an economy where jobs are scarce, and a worker may also need to help care for an extended family, expenses could be significantly higher.

Sodexo
workers at the
Simandou iron
mine in Guinea
earn as little as
33 cents/€0.25
per hour.

Monthly Expense	Amount in Guinean Franc (GNF)	Amount in US Dollars	Amount in Euros
Rent	150,000	\$19.50	€15.00
Food	330,000	\$42.90	€33.00
Medical Costs	50,000	\$6.50	€5.00
Necessary Household Items	100,000	\$13.00	€10.00
Clothing for Children and Babies	10,000	\$1.30	€1.00
Total	640,000	\$83.20	€64.00

Interviews with Sodexo workers in Guinea tell the story. One Sodexo warehouse worker reported, "I am paid GNF 500,000 per month [\$65/€50], and I have seven persons to feed in the family."⁴⁵ A Sodexo security employee at the mine site said, "I earn 600,000 GNF [\$78/€60] per month for about 48 hours a week."⁴⁶

A Sodexo day laborer reported: "I've had jobs with most of the major subcontractors up at the site. Most of the companies have only offered me work on a daily basis. The standard rate with Sodexo is about 25,000 GNF [\$3.25/€2.50] per day. For this kind of work, I'm expected to work 10 hours per day."⁴⁷

Despite the low wages, several Sodexo workers interviewed believe they have no other options. "If I had another possibility, I would immediately quit Sodexo. I have it hard here; I cannot see my family who lives elsewhere," said one Sodexo warehouse worker. "If there was another place, I would go there. I have struggled too much for Sodexo."⁴⁸ Another Sodexo warehouse worker expresses a similar sentiment. "I want to earn a lot of money with my job in order to better prepare my children for the future," the worker says. "If I could find another job, I would quickly quit Sodexo; but since I can't presently, I am forced to remain with them because I have nowhere to go."⁴⁹

Morocco

From 1912 until 1956, Morocco was a French protectorate and many economic ties remain between the two countries.⁵⁰ Morocco has become a financial hub for North Africa, and Sodexo attracted clients that include French and other multinational corporations which set up operations in Casablanca and Rabat. The company also provides services to government offices, hotels and hospitals in Morocco.

Despite the French connection, the economic conditions of Sodexo workers in Morocco are dramatically different from those in France. Interviews with Sodexo workers in Morocco revealed that workers are typically paid very low salaries, some report they seldom receive raises or other benefits, and often work under temporary contracts that limit job security.

Workers interviewed stated they did not earn much more than Morocco's minimum wage of 2109.12 dirhams (dhs) gross per month (\$251.77/€186.91).⁵¹ In some cases, the workers are kept as 'temporary employees' for more than six months, and paid only 500 dhs per month. One employee told TransAfrica staff

that he worked for more than 18 months at the temporary pay rate of 500 dhs per month before finally being made a permanent employee.⁵²

Other workers complained of arbitrary cuts to their monthly wage. A Sodexo employee who works as a cook concluded that his pay was cut due to a fall in activity because of the summer holidays. Other workers reported feeling they had to use vacation during Ramadan, as their site only prepared breakfast and lunch, and would not be needed during the observation of Ramadan.⁵³ Some workers interviewed felt they had no choice but to take the month of Ramadan off as their annual vacation time for which they were only paid 12 days of holiday pay. One worker claimed he had not been paid anything for the month of Ramadan.⁵⁴

In addition to these arbitrary cuts, some workers reported having 300 dhs or more (\$35.81/€26.59) a month taken out of their pay for “**prime de panier**”—the cost of lunch that is supposed to be provided to them at work. Workers reported that not only do they not always receive this food, but they sometimes were not granted a lunch break. These deductions can amount to a significant portion of a worker's total income. For example, one pay stub obtained from a Sodexo worker showed the “**déduction nourriture**” came to 390 dirham during a pay period in which the worker made 2,028.62 dirham.⁵⁵ In this instance, it reduces the worker's effective hourly pay to 8.59 dirham, which is below the minimum wage of 10 dirham per hour. One worker also reported that when he can eat, he ended up standing because his supervisor told him that “to eat sitting down takes too long.” Workers also report not being allowed to bring their own lunches to work, which raises the question of when and how workers are expected to eat during days where they may work eight to 10 hours without a break.

Moroccan law requires that workers receive specified raises (“**prime d'ancienneté**”) after they have worked for a company for two years (5 percent), five years (10 percent), 12 years (15 percent), 20 years (20 percent) and 25 years (25 percent), regardless of whether they are on temporary or permanent contracts.⁵⁶ Workers interviewed stated they had not always received the raises to which they believe they were entitled by law, and some claimed they had not received raises after years of employment by Sodexo.⁵⁷

Interviews with workers showed that some have been on temporary contracts since they started at Sodexo. This reality limits the ability of a worker to raise concerns about working conditions or potential violations of the law, and adds even more instability to an already precarious economic situation for workers and their families. Another worker who has been employed by Sodexo for more than five years stated: “Working with a temporary contract puts workers under a lot of pressure. They can be exploited and cannot complain for fear of their contract not being renewed.”

United States

While the wages Sodexo pays in the United States may seem comparatively high, the fact is that many Sodexo workers in the United States struggle at or below the poverty line. According to the U.S. Department of Health and Human Services' 2009 Poverty Guidelines, the basis for determining eligibility for many public anti-poverty programs, the poverty line for a family of four was \$22,050/€16,369 for 2010.

Many Sodexo workers in the United States earn so little that they qualify for the nation's major anti-poverty programs.

At these wage levels, which are typical for employees of the company, Sodexo workers qualify for many federal anti-poverty programs. Take, for example, the food stamps program (known formally as the Supplemental Nutrition Assistance Program, or SNAP). **The New York Times** notes that food stamp use is at a record high with more than 36 million people relying on the program for basic necessities. The program now feeds one in eight Americans and one out of every four children.⁵⁸ To qualify, a family's net income has to be less than 130 percent of the poverty line (though families with significant assets or savings beyond their annual income may not qualify.⁵⁹ (For a family of four, that comes to \$28,655/€21,280.) For a Sodexo worker who makes \$7.50(€5.57) an hour, he would have to work 74 hours per week to reach this income threshold. Even at \$10.50 (€7.79) per hour, a Sodexo worker would still have to work nearly 53 hours per week to surpass the income threshold for this anti-hunger program. Many Sodexo workers also are eligible for other federal anti-poverty programs, such as the Special Supplemental Nutrition Program for Women, Infants, and Children (commonly known as WIC),⁶⁰ and free- and reduced-price school lunches.⁶¹

Take the example of one woman, a Sodexo cafeteria worker at Tulane University in New Orleans. "I've been here the longest out of anyone I know. I never imagined I would be here 40 years. Since this is a prestigious college, I bragged that I worked at Tulane University and [about] the people that I've met over the years. I was hoping to move my way up—and climb the ropes—to management. I was glad to be working at a university. We had benefits when I started, like hospitalization," she said, explaining that the cafeteria was not always outsourced to Sodexo. Despite an interest in ascending within the organization, she reports that Sodexo "brings in their own leadership."⁶²

Following Hurricane Katrina, she returned to New Orleans. Her lifelong home was destroyed and while she got her job back, it was not the same as before. "After all of those years...it was heartbreaking, after all of those years, to show back up after Katrina. After all I had already been through, they didn't even have the respect to train me on the new cash register system. It was like they hit me in the face when they told me to go upstairs and clean the tables," she said. "I can't even think about it, it's too painful. If I thought about it, I would have cracked from stress. I'm a proud woman, so I'm going to do my job no matter what they tell me to do, but this isn't fair."

A Sodexo employee of Loyola University, New Orleans, reported having to leave and receive outside food industry experience to be eligible to be a supervisor. After returning to Sodexo in a supervisory role, she reported there is no opportunity for workers making lower wages to earn overtime hours. She noted, "When they see you are close to 38 or 40 hours, you have to leave and go home, even if you are in the middle of a shift, because they don't want you to go into overtime."

After working
in the cafeteria
at Tulane
University in
New Orleans
for many years,
one Sodexo
worker still
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than \$10.50
(\$7.79) per
hour. "I'm a
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so I'm going to
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do," she says,
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fair."

Concerns That Sodexo Workers Are Not Always Paid for All the Hours They Work

Colombia

Concerns have been raised that Sodexo has reportedly underpaid workers for hours worked at the Carbones de la Jagua coal mine and at other sites in Bogotá. Under Colombian law, premium rates of pay apply to all overtime hours, hours worked at night (defined as hours worked between 10 p.m. and 6 a.m.), and hours worked on Sundays and holidays, in accordance with the following schedule:

Category	Premium
Overtime hours	25 percent
Night hours	35 percent
Night overtime hours	75 percent
Sunday hours	75 percent

According to Colombian law, when an employee works night and/or overtime hours on a Sunday or holiday, premiums are accumulated to calculate the applicable rate of pay for relevant hours. For example, if an employee works an eight-hour shift on a Sunday that runs from 4 a.m. to noon, the employee is paid the 75 percent Sunday premium for all eight hours of the shift and, in addition, the 35 percent night premium for the first two hours of the shift (4 a.m. to 6 a.m.).

At the La Jagua mine, workers say the problem of excessive overtime is compounded by gross underpayment of wages. For regular hours worked, Sodexo's La Jagua employees say they are paid at, or close to, the legal minimum wage⁶⁸ of 515,000 Colombian Pesos (CP) per month.⁶⁷ Given the typical work schedule reported by employees, if all premium hours were paid as legally required, it appears that total compensation for Sodexo's workers would be nearly 390,000 CP for a two-week period. According to worker testimony, some employees' bi-weekly compensation has at times not exceeded 260,000 CP, barely two-thirds, it would appear, of the amount required by law. Worker at another site within Bogotá report that Sodexo has sometimes paid only the Sunday premium and not the night premium to employees working Sunday night and/or early morning shifts.

One La Jagua worker stated: "To me, the salary wasn't fair, the most that I earned was 260,000 pesos [for two weeks of work]. According to [the company] that **included** overtime." (emphasis added) Testified another worker, "With overtime, the most that we earned was 230,000 or 240,000 every two weeks." A worker who cited 260,000 CP as the typical bi-weekly wage, recalled one time when the company paid her 340,000 pesos for two weeks of work, as the result of a particularly grueling stretch of overtime. She added, "That is the most they ever paid me."

This testimony from workers employed by Sodexo both at La Jagua and in Bogotá raises concerns that Sodexo has failed to ensure their low-wage employees at both locations have received the full compensation they legally earned. Failure to comply with laws governing hours of employment and wages would be unacceptable under any circumstances, but such abuses would be particularly destructive if committed against workers whose income is already insufficient.

Concerns about unpaid overtime sparked efforts by Sodexo workers to organize a union with SINALTRAINAL (Sindicato Nacional de Trabajadores del Sistema Agroalimentario-National Union of Food System Workers). Sodexo workers at the Compañía Nacional de Chocolates (National Chocolate Company) in Bogotá told interviewers that over the course of 2009, they came to believe they were not receiving the overtime payments ("recargos") and the Sunday compensation time ("compensatorias") for their work on the Saturday evening overnight shift that stretched into Sunday, to which they felt they were entitled.⁶⁸ Similarly, a Sodexo worker at La Jagua told researchers that she is frustrated at what she considers a shortage of overtime pay and the lack of clarity regarding the length of their work days.⁶⁹

One leader within the Sintramienergética (The Mining and Energy Industry Workers' Union) said he knows firsthand about the conditions of Sodexo workers at the La Jagua mine. He said in an interview they frequently work 16-hour workdays without overtime pay.⁷⁰ One worker reported that her workday ran from 4:30 a.m. to 6 p.m. every day and, due to her workload, could not stop to take a lunch break.⁷¹ Another worker reported her workload was so intensive, she worked from 4 a.m. to 4 p.m. with no overtime pay, at one point working 23 consecutive days without a day off.⁷²

Guinea

In Guinea, the challenge of getting transportation to and from their jobs at the Simandou iron ore mine creates additional hardships. Workers report they sometimes wait up to five hours a day without pay for a Sodexo-provided bus to and from the mine because there are not enough buses for all of the workers.

Some workers say they leave home by 4:30 a.m. to "wait for the bus until 6 [a.m.] or 7 a.m. We have to wait that long because there are more people waiting than there are seats in the bus ...," one Sodexo maintenance worker says. "We leave work at 5 p.m., but you can wait until 6 p.m. or 7 p.m. or later because there aren't enough seats on the bus. So, the two or three hours that you spend away from your family, but not working, that's not paid. That's how we work."⁷³

A Sodexo warehouse worker at the site tells a similar story: "It's a struggle to get to work on time. I leave my family at 4:30 a.m. in order to be at work for 7 a.m. From 4:30 a.m. until 7 a.m., you have to fight to get to work. The number of people going to the site is greater than the number of places on the site's bus." Similarly, the worker stated, "Work ends at 5 p.m., but unless you have transport, like your own motorbike, you often have to wait until 6 p.m. for a seat on the bus. It's tiring."⁷⁴

Meanwhile, workers claim expatriate managers travel by helicopter and four-wheel drive vehicles. "Sometimes I feel almost like I'm a slave. Not just morally, but physically," one Sodexo mechanic says. "The expats live in luxury, while we don't even have a bus big enough to transport [all of] us to work. They ride around in 4x4s."⁷⁵

Morocco

A number of Sodexo workers in Morocco reported they felt they had worked extra hours without being fully compensated as they believe is required by Moroccan law. Sodexo workers said they sometimes had worked for three to four additional hours a day without getting paid fully, which would present a particular hardship considering their low salaries. As in many of the countries where we conducted interviews, Sodexo workers in Morocco sign contracts that specify hours of work and a total monthly salary. Workers claimed they had ended up working longer hours than specified in their contracts without receiving any additional compensation.⁷⁶

A report on Morocco's labor laws by the U.S. Department of Labor's Bureau of International Labor Affairs notes the legally specified workweek for nonagricultural workers is a maximum of 44 hours and explains that the "daily work period is not to exceed 10 hours unless legally stipulated." In addition, the report states: "The law permits overtime work if the company performs tasks that are deemed in the national interest or if it experiences an exceptional increase in its volume of work. Workers in nonagricultural activities receive an additional increase of 25 percent for extra hours worked between the hours of 6 a.m. and 9 p.m. and a 50 percent increase for hours worked between 9 p.m. and 6 a.m. These increases are raised to 50 [percent] and 100 percent for hours worked on a rest day."⁷⁷

For example, one worker said she had often ended up working from 7 a.m. to 7 p.m. but had only been paid from 8 a.m. to 3 p.m. A second worker said he had worked from 6 a.m. until 5 p.m. or 6 p.m. in the evening, but had only been paid from 7 a.m. until 4:30 p.m. A third worker says he often worked three to four extra hours per day.⁷⁸ According to these interviews, workers perceive pressure by Sodexo on the employees to work these extra hours, and workers feel they are unable to accomplish the intensive list of daily duties within the normal work day. Some workers claim they have felt no choice but to come in on their days off and work without extra pay; they claimed they had also not always received a break during their work day as required by law.⁷⁹

Sodexo Interferes With Workers' Right to Freedom of Association

Article 23 of the Universal Declaration of Human Rights states that, "Everyone has the right to form and to join trade unions for the protection of his interests."⁸⁰ This right has been iterated numerous times, including in the conventions of the International Labour Organization (ILO),⁸¹ ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy,⁸² Global Sullivan Principles of Social Responsibility,⁸³ and the UN Global Compact.⁸⁴

As the research and interviews conducted by TransAfrica Forum illustrates, few Sodexo workers in fact have union representation and, in cases where workers stood up for their rights, they expressed concerns over perceived

harassment, retaliation, and even termination from their jobs. Many Sodexo workers say they feel afraid to even talk to their co-workers about a union. This sentiment is exacerbated by the prevalence of temporary contracts in places where unemployment is high, wages are low, and the risk of losing a job often outweighs the desire to stand up for better working conditions.

Colombia

Efforts to organize unions across various industries in Colombia have a troubled history. A 2009 report by the International Trade Union Confederation (ITUC), which conducts an annual country-by-country survey of trade union rights, notes that in Colombia, "Despite the strong emphasis on security by the current government and a 60 percent fall in the rate of murders of trade unionists over the last few years, 2008 saw a disturbing 25 percent rise in cases of anti-union violence. A total of 49 trade unionists were assassinated, of whom 16 were trade union leaders, 45 were men and four were women. Attacks, disappearances, and death threats continued."⁸⁵

The U.S. Department of State's 2009 Human Rights Report for Colombia acknowledged problems as well: "The ENS [National Labor School] and other labor groups acknowledged an improvement [in the murder rate of trade unionists] from 2008, but warned focusing on murders alone masked the true nature and scope of the anti-union violence. ENS reported that only 26 percent of the 10,364 'violations of life, liberty and integrity' of unionists it had tallied since 1986 had been murders. The majority consisted of death threats (4,418) and forced displacements (1,611), as well as arbitrary detentions, harassment, nonlethal attacks, disappearances, kidnappings, torture and illegal searches."⁸⁶

It is against this backdrop that Sodexo employees who worked at the Compañía Nacional de Chocolates sought to organize a union. Until recently, none of the approximately 9,000 workers Sodexo employs in Colombia⁸⁷ had union representation. Sodexo provides food and facility services to a range of clients in the country, including corporate cafeterias, healthcare facilities, banks and remote sites such as mining operations. Sodexo also operates a significant service voucher business in the country, providing meal cards that corporate clients use as part of their employees' compensation packages.⁸⁸

Workers employed by Sodexo in Bogotá and representatives of the SINALTRAINAL union testified that, in the fall 2009, as a result of concerns about underpayment of wages and other issues, a group of Sodexo workers began to meet with union representatives to discuss their working conditions and the prospect of union affiliation. After a series of such meetings, along with unsuccessful requests by individual employees to Sodexo management to address their concerns, 11 Sodexo workers affiliated with SINALTRAINAL on April 17, 2010. This group of employees included workers assigned to Compañía Nacional de Chocolates, Club Los Lagartos, BanColombia and Merck Laboratories. The fact and timing of these affiliations is verified by both worker testimony and union affiliation documents provided to investigators by workers and representatives of SINALTRAINAL.

On April 28 and 29, 2010, less than two weeks after these workers affiliated with the union, Sodexo dismissed seven of the 11 workers, without stated cause.

TransAfrica Forum's researcher was provided with copies of the seven employees' letters of dismissal, confirming the dates and the absence of any

In a country with a long history of anti-union activity, Sodexo workers seeking to organize perceive they faced threats and intimidation.

stated justification for the dismissals. Among the workers terminated were longtime employees and single heads of households. Company managers refused to inform these employees why they were terminated, telling one worker, "When the company wants to fire you, they will fire you[;] . . . [t]here is nothing you can do."

Sodexo workers have expressed concerns that in the period immediately prior and subsequent to these dismissals, Sodexo managers were perceived as having:

- Threatened union supporters at multiple worksites they would be terminated if they continued to be involved with the union;
- Interrogated individual union supporters at multiple worksites about their union activities;
- Told Sodexo employees at multiple worksites that unionization was a futile exercise because Sodexo would never recognize or make any concessions to the union;
- Told Sodexo employees that unionization would cost Sodexo employees their jobs and its contracts with customers;
- Prohibited Sodexo employees from talking with unionized workers at Sodexo's client companies, with whom Sodexo employees regularly work in close proximity; and
- Disparaged employees who had joined the union as "troublemakers."

The dismissals were initiated seven business days after the workers' union affiliation became official. The majority of the workers who chose to become the union's first affiliates at Sodexo were fired. Sodexo failed to demonstrate the firings had good cause, and there was credible testimony that Sodexo managers previously been understood to have made explicit threats of termination to some of these workers, and acted in a discriminatory manner toward other union supporters. This evidence raises concerns that:

- Sodexo may have unlawfully dismissed the seven workers in retaliation for the workers' decision to exercise their associational rights;
- Sodexo managers appear to have engaged in threats, intimidation and retaliation motivated by anti-union animus and to discourage Sodexo employees from unionizing and engaging in collective bargaining.

Sodexo's conduct subsequent to the terminations increases these concerns. On May 4, 2010, the union provided Sodexo with official notice of its affiliation with employees in the company's Bogotá operation. Sodexo responded by refusing to accept SINALTRAINAL as the representative of its employees, asserting in a letter⁹⁹ to the union that it "is not legally viable for workers from this company to affiliate [with SINALTRAINAL]."

Sodexo justified its posture on technical legal grounds, stating that SINALTRAINAL could not represent Sodexo employees because SINALTRAINAL is a union of food service workers, whereas Sodexo employees in Bogotá provide both food and cleaning services. When the Colombian Ministry of Social Protection convened a meeting with the company and union for the expressed purpose of addressing Sodexo's objections to recognizing the union, the company's representatives failed to appear.

Any such retaliation against, and interference with, its employees' efforts to join the SINALTRAINAL union and seek collective bargaining by Sodexo would be in violation of Colombian labor laws, international labor standards, and the company's own stated policies and commitments. Colombia's constitution and labor code establish the right of workers to form unions and impose criminal penalties on persons who interfere with this right.⁹⁰ Article 354 of the Substantive Labor Code states that, "All people are prohibited from putting at risk the right to union association," and specifies certain conduct as "attacks against the right to union association by [an] employer," including: "creat[ing] difficulties for the affiliation of its personnel to a union organization" by "conditioning that with the obtaining or conserving of employment;" "[r]efus[ing] to negotiate with union organizations that . . . have presented their petitions [for recognition]"; and "[f]ir[ing] . . . unionized personnel, in order to impede the exercise of the right to associate."⁹¹

There are concerns that Sodexo's conduct in this case may have violated these prohibitions and, thus, Colombian law. The company fired seven employees who affiliated with the union in circumstances where its motivation is perceived by workers as being to impede their exercise of associational rights. There are concerns these terminations may have represented a way for the company to "create difficulties for . . . [union] affiliation [by] its personnel" by conditioning employees' ability to "conserve . . . employment" on forgoing union membership. Finally, the company's failure to appear with the Ministry of Social Protections suggests a **de facto** "refus[al] to negotiate."

These actions also raise concerns of violations of both international labor standards on freedom of association,⁹² Sodexo's own corporate policies,⁹³ as well as the United Nations Global Compact.⁹⁴ As noted above, in this instance, any such violations would be of particular concern because Colombia is a country where long-running violence against trade unionists severely impaired the environment for workers' exercise of freedom of association.⁹⁵ Colombia had for many years the distinction of being the most dangerous country in the world for union leaders and activists, as reflected in the annual toll of assassinations and disappearances.⁹⁶ For this reason, any labeling of union supporters as "troublemakers" and treating them as examples would be especially troubling practices, especially for a company that professes a commitment to support human rights.

Dominican Republic

According to Fentiahbeta (Federación Nacional de Trabajadores de la Industria de la Alimentación, Hoteles, Debidas y Tabaco—National Federation of Food, Hotel & Tobacco Workers of the Dominican Republic), workers made several attempts to have a dialogue with management about their concerns about perceived nonpayment of minimum wage and other workplace code violations with no response. In August, a group of workers decided to organize a short work stoppage to bring the issue to the attention of management.⁹⁷

Two days after the work stoppage, the leader says she was fired. According to Fentiahbeta, the Sodexo response resulted in an atmosphere of fear and intimidation:

"[I]nstead of resolving the workers' issues, I felt that the management took on an intolerant and repressive attitude and retaliated against the workers who were simply asking for the respect of their rights. They suspended some of the workers and felt they had even fired a woman worker because she spoke up about these rights that Sodexo was not respecting."⁹⁸

Morocco

Sodexo workers interviewed in Morocco have not been able to form a union. In general, the climate for trade unions in Morocco is difficult. For example, Morocco has not ratified the International Labor Organization's Convention 87,⁹⁹ one of the core conventions which covers "Freedom of Association and the Protection of the Right to Organize."¹⁰⁰ The ITUC's annual survey of trade union rights found there is "less repression, more dialogue, but still a long way to go" when it comes to workers' ability to join unions. Despite progress on some fronts, the ITUC reports, "Trade unions were harassed throughout the year. Workers were transferred or sacked because of their trade union activities."¹⁰¹

United States

Human Rights Watch released a study of the labor practices of European multinational corporations in their operations in the United States. Among the examples Human Rights Watch gives, Sodexo is cited. In September 2009, food, laundry and facilities workers across the country employed by Sodexo launched a major national organizing effort. According to the report, "Despite claims of adherence to international standards on workers' freedom of association, Sodexo has launched aggressive campaigns against some of its U.S. employees' efforts to form unions and bargain collectively. Sodexo managers have used many of the tactics described [in the report] that, while legal under U.S. law, violate international standards requiring noninterference with workers' organizing rights. But, in some instances, Sodexo has at times crossed the line to anti-union behavior, unlawful under both U.S. law and international standards."¹⁰²

The Human Rights Watch report includes examples of anti-worker conduct from the most recent (and, as of this writing, ongoing) organizing effort in the United States,¹⁰³ but also cites examples of such behavior by the company from as far back as 2003.¹⁰⁴ According to the report, "Sodexo told Human Rights Watch that (such) events were 'an exceptional and outdated set of circumstances' that should not be used to 'paint a false picture of Sodexo.' However, recent developments indicate that Sodexo still resists workers' new organizing attempts. The neutrality agreement between Sodexo and the unions covering organizing procedures at selected company locations ended in 2009. Since then, Sodexo has again expressed inappropriate hostility toward unions and workers' organizing efforts and taken steps to thwart union formation."¹⁰⁵

Conclusion: A Global Path Forward for Sodexo

Sodexo has a responsibility to fulfill its own code of conduct and international standards of human and labor rights. As the firsthand concerns raised in this report illustrate, Sodexo's code of conduct will likely continue to fall short without consistent, long-term mechanism for ensuring successful implementation at the worksite. It appears Sodexo has lacked the ability to adequately monitor its wage and workplace behavior within its own structure.

One example of the limited usefulness of company-initiated monitoring of working conditions comes from Sodexo in Morocco. "We do not complain about the supervisor because we are scared of him," a Sodexo worker reports. "Once a year, Sodexo send us an anonymous and confidential questionnaire with 56 questions where we could complain about him, but we don't say the truth because we are scared."¹⁰⁶

There are successes in corporate social responsibility monitoring. At their best, social audits conducted transparently and independently can be useful tools in beginning to assess conditions and areas for improvement. For example, the Worker Rights Consortium (WRC) is widely acknowledged to have one of the most comprehensive and well-respected monitoring standards. The WRC is an independent labor rights monitoring organization focusing on standards at factories that manufacture apparel bearing the logos of many U.S. universities. The WRC "conducts independent [and] in-depth investigations, issues public reports on factories producing for major U.S. brands, and aids workers at these factories in their efforts to end labor abuses and defend their workplace rights."¹⁰⁷

Importantly, the WRC acknowledges in its Model Code of Conduct and monitoring procedures that legitimate, independent worker representatives play a vital role in the long-term enforcement of any labor standards. In a document outlining procedures for verifying compliance with the code of conduct at an apparel factory in the Dominican Republic, the WRC says, "[We] recognize the most effective day-to-day monitoring of compliance with labor standards is performed by workers and their representatives, acting through democratic labor organizations."

In the long run, TransAfrica Forum believes the most appropriate way to ensure Sodexo adheres globally to ongoing responsible labor standards is through the effective monitoring and enforcement of national laws within the countries it operates. Sodexo must abide by the ILO standards for worker wages, protection and freedom of association. Additional protection to workers could come through the negotiation of a global agreement with the Global Union Federation, ensuring all Sodexo workers have the right to organize trade unions free from any perceived company intimidation. Such an agreement would ensure workers have access to the most efficient, effective means of creating and enforcing appropriate standards that comply with established global codes for human and labor rights.

The only way to ensure that Sodexo adheres to responsible labor standards is through the enforcement of national and international human rights and labor standards and movement toward a global workplace governance system.

Research Methodology

Colombia: Individual interviews were conducted with Sodexo workers from the Compañía Nacional de Chocolates as well as Exito and BanColombia locations in Bogotá and in La Jagua. The identities of the workers have been kept confidential. Interviews were translated and transcribed from the original Spanish.

Dominican Republic: Interviews were conducted at the Pueblo Viejo mine in the Dominican Republic. Interviews were translated and transcribed from the original Spanish.

Guinea: A total of 25 interviews were conducted with Sodexo workers, Rio Tinto workers, Sodexo day laborers, and a union representative in the villages around the Simandou mine. Interviews were conducted by two researchers, a British freelance journalist based in Dakar, Senegal and a Guinean researcher and interpreter based in Beyla, Guinea. The identities of the workers have been kept confidential.

Morocco: In Morocco, workers and union officials were interviewed to obtain information about Sodexo operations and the company's treatment of its employees.

United States: Interviews with workers were conducted from multiple Sodexo locations.

Endnotes

- 1 Sodexo web site, "Discover Sodexo: The Group Sodexo," available at <http://fr.sodexo.com/fr/fr/decouvrez-sodexo/le-groupe-sodexo/groupe-sodexo.asp>
- 2 United Nations' Universal Declaration of Human Rights, Article 23 (3), Available at <http://www.un.org/en/documents/udhr/index.shtml>, accessed November 15, 2010.
- 3 "A Strange Case" Report by Human Rights Watch September 2, 2010 available at <http://www.hrw.org/en/reports/2010/09/02/strange-case-0> (accessed on November 12, 2010)
- 4 Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine 8/4/2010.
- 5 Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine 8/4/2010.
- 6 Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine 8/4/2010.
- 7 Complaint submitted by Sintramienergetica to the Colombian Ministry of Labor and Social Protection in Chiriguana, Cesar, August 12, 2009.
- 8 See Article 348 of the Substantive Labor Code (stating that "All employers or companies are obligated to provide...equipment that guarantees the safety and health of its workers.") and Article 57 (requiring employers to provide workers with "adequate elements to protect them against professional accidents and illness in a way that reasonable guarantees safety and health.").
- 9 Interview conducted with Sodexo workers at Pueblo Viejo mine, November 5, 2010.
- 10 Ibid, November 5, 2010 Interview.
- 11 "Employees say Barrick Gold poisoning was caused by food," Al Momento, March, 21, 2010 <http://www.almomento.net/news/132/ARTICLE/55560/2010-03-21.html> accessed on November 4, 2010
- 12 Interview conducted with Sodexo workers at Pueblo Viejo mine, November 5, 2010.
- 13 Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine 8/4/2010.
- 14 Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine

8/4/2010.

- 15 Notes from worker interviews conducted in Casablanca, October 30-November 5, 2010
- 16 United Nations' Universal Declaration of Human Rights, Article 23, Available at <http://www.un.org/en/documents/udhr/index.shtml>, accessed November 15, 2010.
- 17 See, for example, Sodexo USA's statements on labor unions available at <http://www.sodexousa.com/usen/aboutus/factsheets/laborunion.asp> (accessed September 29, 2010); its "Better Tomorrow Plan" available at http://www.sodexo.com/group_en/Images/Sodexo-Better-Tomorrow-Plan_EN_L.2010.03_tcm13-362242.pdf (accessed September 29, 2010); and Sodexo web site, "Human Rights," available at http://www.sodexo.com/group_en/corporate-citizenship/commitments/human-rights/business-ethics.asp, accessed October 4, 2010.
- 18 Pay stub obtained from a Sodexo worker at the National Chocolate Company. All conversions to Euros and U.S. Dollars in this report from Colombian Pesos are based on the following exchange rates as of November 15, 2010 as provided at <http://www.oanda.com/currency/converter/>: 1 Colombian Peso= €0.00039, 1 Colombian peso= \$0.00053.
- 19 Interview with a Sodexo worker at the La Jagua mine,.
- 20 Interview with a Sodexo worker at the National Chocolate Company .
- 21 Interview with a Sodexo worker at the La Jagua mine October 20, 2010. Workers report that the regular work schedule for Sodexo employees at the mine is 12 straight days of work, followed by two days off.
- 22 See Article 162 of Colombia's Substantive Labor Code (Código Sustantivo de Trabajo) (stating that "the maximum duration of the regular work day is eight (8) hours per day and forty eight (48) per week..."). The Article lists certain exceptions, none of which are applicable to Sodexo's operation at Carbones de la Jagua. See also Article 22 of Law 50, 1990, which modifies the Substantive Labor Code, and limits the amount of overtime an employer can require (stating: "In no case can over time, day or night, exceed two (2) hours per day or twelve (12) hours per week. When the work shift is increased by mutual agreement between employers and workers to ten (10) hours per day, the workers cannot work over time during this same day.").
- 23 Interview conducted with Sodexo workers at the Carbones de la Jagua mine, October 20, 2010.
- 24 Ibid, Interview on October 20, 2010.
- 25 See Constitution of Colombia, art. 53 (stating that "... international labor conventions that have been duly ratified become part of the [country's] internal legislation"). Colombia ratified ILO Convention 1 in 1933. See: <http://www.ilo.org/ilolex/cgi-lex/ratific.pl?C001>.
- 26 See ILO Convention 1 (Hours of Work), arts. 4-6.
- 27 ILO Committee of Experts on the Application of Standards (CEACR), Individual Observation concerning Hours of Work (Industry) Convention, 1919 (No. 1), Colombia (2010).
- 28 See Sodexo, Supplier Code of Conduct ("**WORKING HOURS** . . . Suppliers shall maintain reasonable employee work hours in compliance with . . . applicable national laws of the countries and regions in which the Supplier does business. Sodexo requires Suppliers to comply with the statutory requirements for working hours for employees.").
- 29 "We commit ourselves to these principles and ask the same from our business partners," Sodexo, Doing Business the Right Way, <http://www.sodexousa.com/usen/citizenship/ethicalconduct/ethicalconduct.asp>.
- 30 Barrick Gold web site, <http://www.barrick.com/GlobalOperations/NorthAmerica/PuebloViejoProject/default.aspx>, accessed September 30, 2010.
- 31 Yahoo Finance, price of gold per ounce as of September 30, 2010, was \$1,350.50.
- 32 Interview conducted with Sodexo workers at Pueblo Viejo mine, November 5, 2010.
- 33 Ibid, Interview Conducted on November 5, 2010.
- 34 Interviews and observations conducted on site.
- 35 Rio Tinto, "Rio Tinto Activities in Guinea: Project Information," March 2010, available at http://www.riotintosimandou.com/documents/RT_Simandou_Info_Sheet_EN_Mar_2010.pdf, accessed September 24, 2010.
- 36 Tom Burgis, "Behind the wrangle for Guinea's minerals," Financial Times, July 5, 2010.
- 37 "Rio Tinto Approves Additional Funding for Simandou," Engineering and Mining Journal, September 14, 2010, accessed September 24, 2010.
- 38 United Nations Human Development Index, 2009, available at <http://hdr.undp.org/en/statistics/>,

- accessed September 29, 2010.
- 39 United Nations World Food Programme, available at <http://www.wfp.org/countries/guinea>, accessed September 29, 2010.
- 40 Human Rights Watch, "Bloody Monday: The September 28 Massacre and Rapes By Security Forces in Guinea," December 2009, p. 4-5.
- 41 Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine. Currency conversions from GNF to U.S. Dollars, the British Pound, and the Euro use the exchange rate on September 24, 2010 (1 GNF=\$0.00013, 1 GNF=€0.00010, 1 GNF=£0.00009) as provided at <http://www.oanda.com/>.
- 42 Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine 8/4/2010.
- 43 One worker reports making the equivalent of \$78 month for 48 hours of work per week. At an average of 4.33 weeks per month (52 weeks divided by 12 months) that comes out to an average of about 208 hours per month, for an hourly wage rate of about \$0.38 cents per hour. Calculated in Euros (€60), the amount comes out to €0.29. Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine 8/4/2010.
- 44 From interviews and observations conducted by Kate Thomas at the Simandou site, statement dated October 2.
- 45 Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine 8/4/2010.
- 46 Ibid.
- 47 Ibid.
- 48 Ibid.
- 49 Ibid.
- 50 U.S. Department of State, "Background Notes: Morocco," January 26, 2010, available at <http://www.state.gov/r/pa/ei/bgn/5431.htm>, accessed September 28, 2010.
- 51 According to the U.S. Department of State, "The minimum wage was 10 dirhams (\$1.25) per hour in the industrialized sector and 52.50 dirhams (\$6.50) per day for agricultural workers." The Dollar and Euro conversions included above is adjusted for current exchange rates. See U.S. Department of State, 2009 Human Rights Practices: Morocco, available at <http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136075.htm>, accessed November 5, 2010. All conversions to Euros and U.S. Dollars in this report from Moroccan Dirham (MAD) are based on the following exchange rates as of November 5, 2010 as provided at <http://www.oanda.com/currency/converter/>: 1 MAD= € 0.08798, 1 MAD= \$ 0.08798.
- 52 Notes from worker interviews conducted in Casablanca, October 30-November 5, 2010.
- 53 Notes from worker interviews conducted in Casablanca, October 30-November 5, 2010.
- 54 Notes from worker interviews conducted in Casablanca, October 30-November 5, 2010.
- 55 Pay stub obtained from a Sodexo worker in Morocco during an interview.
- 56 Morocco Labor Code, Article 350, contained in the Royayme de Maroc Bulletin Officiel, p. 635.
- 57 Notes from worker interviews conducted in Casablanca, October 30-November 5, 2010.
- 58 Jason DeParle and Robert Gebeloff, "Food Stamp Use Soars, and Stigma Fades," New York Times, November 29, 2009.
- 59 U.S. Department of Agriculture, Food and Nutrition Service, SNAP Eligibility Guidelines, available at <http://www.fns.usda.gov/wic/howtoapply/eligibilityrequirements.htm>.
- 60 WIC guidelines are determined state-by-state, but income limit has to be set between 100 percent and 185 percent of federal poverty guidelines.
- 61 Children are eligible for free meals through the National School Lunch Program if their household income is below 130 percent of the poverty line, and for reduced-price meals if their income is below 185 percent of the poverty line. See <http://www.fns.usda.gov/cnd/Governance/notices/iegs/IEGs09-10.pdf>.
- 62 Interview with Sodexo employee of Tulane University, November 11, 2010.
- 63 See Article 168 of the Substantive Labor Code ("RATES AND PAYMENT OF PREMIUMS).
1. Night work based on the mere fact that it is at night is paid with a Premium of thirty five percent (35 %) over the value of day work...
 2. Extra hours in the day are paid with a Premium of twenty five percent (25 %) over the value of regular day work.

3. Overtime night work is paid with a premium of seventy five percent (75 %) over the value of regular day work.
4. Each of the aforementioned premiums is exclusive, which means they are not cumulative.”).
- 64 Night overtime is defined as nighttime work that takes place in a given week after a worker has already worked 48 hours during that week.
- 65 See Article 179 of the Substantive Labor Code (“SUNDAY AND HOLIDAY WORK. 1. Work on Sundays and holidays will be paid with a premium of seventy five percent (75 %) of the regular salary in proportion to the hours worked...”).
- 66 See “\$515.000 Salario mínimo legal para 2010” (\$515,000 Minimum Wage for 2010), Reuters, December 31, 2009.
- 67 This translates to US\$1.17 per hour.
- 68 According to a summary of labor practices in Colombia prepared by the U.S. Department of Labor's Bureau of International Labor Affairs, “The official work day in Colombia is from 6 a.m. to 10 p.m., while night work is conducted between 10 p.m. and 6 a.m. Individuals performing night work receive premium pay — 35 percent extra in wages than daytime workers in the same position.” U.S. Department of Labor, Bureau of International Labor Affairs, Colombia Labor Rights Report, p. 41.
- 69 Interview conducted with Sodexo worker at la Jagua Mine.
- 70 Ibid.
- 71 Ibid..
- 72 Ibid.
- 73 Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine (Interview #1), contained in file Sodexo Simandou Interviews 8/4/2010, p. 1.
- 74 Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine (Interview #2), contained in file Sodexo Simandou Interviews 8/4/2010, p. 2.
- 75 Interview conducted on behalf of TransAfrica Forum with Sodexo workers at Simandou mine (Interview #4), contained in file Sodexo Simandou Interviews 8/4/2010, p. 3-4.
- 76 Notes from worker interviews conducted in Casablanca, October 30-November 5, 2010.
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- 85 International Trade Union Confederation, Annual Survey of Violations of Trade Union Rights 2009, available at <http://survey09.ituc-csi.org/survey.php?IDContinent=2&IDCountry=COL&Lang=EN>, accessed July 25, 2010.
- 86 U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, “2009 Human Rights Report: Colombia,” available at <http://www.state.gov/g/drl/rls/hrrpt/2009/wha/136106.htm>, accessed September 26, 2010.

- 87 "Sodexo creció 23 por ciento a marzo," available at <http://www.portafolio.com.co/archivo/documento/MAM-3449243>, accessed September 30, 2010.
- 88 Compilation of contract awards from Sodexo annual earnings statements.
- 89 Letter of May 7, 2010, from Sodexo representative Marcela Gomez Jaramillo to SINALTRAINAL.
- 90 See, Constitution, art. 39, Labor Code, art. 353-354.
- 91 *Id.*, art. 354.
- 92 See, ILO Conventions 87 (Freedom of Association and the Right to Organize) ("Each Member [state] of the [ILO] for which this Convention is in force undertakes to take all necessary and appropriate measures to ensure that workers . . . may exercise freely the right to organi[z]e.") and 98 (Right to Organize and Bargain Collectively) ("Workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment . . . particularly in respect of acts calculated to— (b) cause the dismissal of or otherwise prejudice a worker by reason of union membership.").
- 93 See, Sodexo, Policy on Human Rights ("Respecting International Labor Standards ("We respect our employees' right to organize or not to organize as they may so choose [and] [w]e continue to negotiate contracts with labor unions in good faith."); Sodexo's Supplier Code of Conduct ("FREEDOM OF ASSOCIATION: Employees of Suppliers shall be free to join organizations of their own choice. Suppliers shall respect and recognize the right of employees to join and organize associations of their own choosing, and to bargain collectively. Employees shall not be subject to intimidation or harassment in the exercise of their right to join or to refrain from joining any organization.").
- 94 See, UN Global Compact, Principle 3 ("Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining") (stating that "[f]reedom of association implies a respect for the right of . . . all workers to freely and voluntarily establish and join organizations of their own choice," and that "[e]mployers should not interfere in an employee's decision to associate, or discriminate against the employee."), <http://www.unglobalcompact.org/aboutthegc/thefourprinciples/principle3.html>.
- 95 See, US State Department, *supra*, n. 19.
- 96 See, International Trade Union Confederation, Annual Survey of Violations of Trade Union Rights (2009) ("Colombia continues sadly to hold the infamous world record, accounting for 60 percent of the assassinations of trade unionists around the world."), <http://survey09.ituc-csi.org/survey.php?IDContinent=2&Lang=EN>.
- 97 Letter from Pablo de La Rosa, President of Fentiahbeta, to Paul Deighton, CEO of the London Organising Committee of the Games, September 2, 2010.
- 98 Letter from Pablo de La Rosa, President of Fentiahbeta, to Paul Deighton, CEO of the London Organising Committee of the Games, September 2, 2010.
- 99 International Labour Organization, List of Nations Ratifying Convention 87, available at <http://www.ilo.org/ilolex/english/convdisp1.htm>, accessed November 5, 2010.
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- 102 Human Rights Watch, "A Strange Case Violations of Workers' Freedom of Association in the United States by European Multinational Corporations," September 2010, p. 60.
- 103 *Ibid.*, p. 69-77.
- 104 *Ibid.*, p. 61.
- 105 *Ibid.*, p. 69.
- 106 Notes from worker interviews conducted October 30-November 5, 2010.
- 107 Workers Rights Consortium web site, <http://www.workersrights.org/about/>, accessed November 5, 2010.

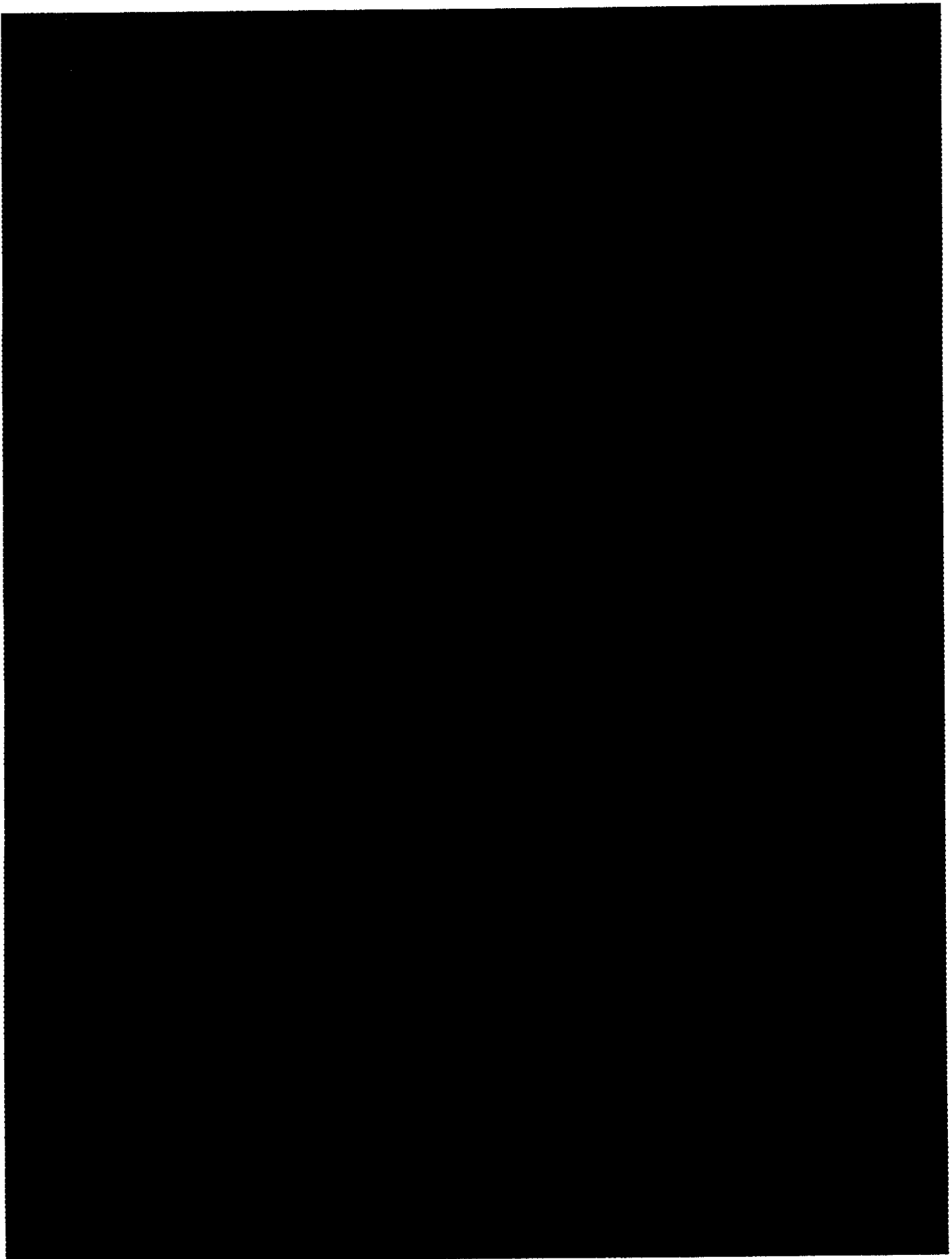




EXHIBIT 27

The Washington Post

TransAfrica Forum accuses Sodexo of labor abuses

By Danielle Douglas
Monday, January 24, 2011; 12

Global food service provider Sodexo is coming under fire for alleged labor abuses detailed in a report released last week by human rights organization TransAfrica Forum. Among the litany of charges, Sodexo, which has 380,000 employees in 80 countries, is accused of paying sub-par wages, denying employees breaks and withholding overtime pay. The company denies the allegations.

The report is the latest effort in a campaign against Sodexo that has in the past two years drawn a host of labor organizers, including the Service Employees International Union (SEIU), and activists, such as Human Rights Watch.

"Sodexo is the 21st largest corporation on the planet; those kinds of corporations have to lead the way on human rights and worker rights," said Nicole Lee, president of District-based TransAfrica. "Our goal is for them to change their practices so that other companies follow suit."

TransAfrica became involved in the campaign shortly after actor Danny Glover, a board member, got arrested last spring at a protest in front of Sodexo's U.S. headquarters in Gaithersburg.

TransAfrica and its partners interviewed

Sodexo employees in five countries-- the United States, the Dominican Republic, Guinea, Morocco and Colombia. One of the company's cafeteria workers at Tulane University in New Orleans, for instance, complained of still making \$7.42 an hour after 40 years on the job. A chief complaint across the globe was a hostile climate toward joining or forming unions, with employees allegedly being threatened or fired.

In a detailed statement, Sodexo disputed every charge lobbed against it, writing, "Neither Sodexo nor any local government authority has corroborated the allegations in the TransAfrica document, which have been made by a very small number of workers."

The company noted that Glover has been an active participant in what it considers a "smear campaign" led by the SEIU.

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The Washington Post**TransAfrica Forum accuses Sodexo of labor abuses**

"This campaign," wrote the company, "seeks to force Sodexo to recognize the union without allowing its employees to exercise their right to vote for or against union representation." The statement went on to say that Sodexo's workforce in the United States is more than 15 percent unionized, more than twice the national average.

Still, the company has been involved in several domestic labor disputes in the past year. Food service workers in Pennsylvania, for instance, filed a class-action suit against Sodexo last month for forcing them to work off the clock, while employees at Clark University in Worcester, Mass., walked off the job in protest of low wages in October.

"There is a systemic problem in the management of Sodexo; these are not isolated incidences," said Lee, who will be in Paris this week to protest at Sodexo's annual shareholders meeting. "The way to hold the company accountable is through public pressure."

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EXHIBIT 28



SERVICE EMPLOYEES INTERNATIONAL UNION, CTW, CLC

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EN ESPAÑOL

SEIU Blog

3:10 PM Eastern - January 19, 2011

New report on Sodexo by civil rights group examines human rights violations across the globe

BY JOSH GLASSTETTER

Earlier today, activist and actor Danny Glover unveiled an extensive new report by the [TransAfrica Forum](#) on Sodexo's treatment of workers in five nations. TransAfrica - the oldest and largest African American organization promoting diversity and equality around the world - based its report on months of in-country interviews with workers, activists, and community members in Morocco, Colombia, the Dominican Republic, France, and the U.S.

According to Glover, chairman of TransAfrica, the report "tells the story of workers who are trapped in poverty by a powerful global company--and then in these cases harassed, threatened and fired when they speak up for their rights." Its purpose is to "shine a spotlight on the working and living conditions of Sodexo workers around the world, and help those workers access their basic rights to improve their lives and their communities."

You can read the report, "Voices for Change: Sodexo Workers From Five Countries Speak Out," by clicking [here](#).

Echoing a September, 2010 [report](#) by Human Rights Watch, TransAfrica found that Sodexo does not appear to be living up to social commitments it has made. In fact, TransAfrica found that, in country after country, the "business model Sodexo employs keeps workers poor and locks their communities into seemingly endless cycles of poverty."

The "Voices for Change" report focuses on four areas of concern:

- "Disregard for Human Rights and Dignity of Workers"
- "Payment of Poverty Wages All Over the World"
- "Concerns That Sodexo Workers Are Not Always Paid for All the Hours They Work"
- "Sodexo Interferes with Workers' Right to Freedom of Association"

Among the most disturbing findings are the following:

- in Guinea, Sodexo workers report that all **Guinean employees are required to eat at a separate cafeteria apart from Europeans** and others at the Simandou mine
- in Colombia, some female job applicants have reportedly been **required to take pregnancy tests**
- Sodexo workers at the Pueblo Viejo gold mine in the D.R. report **making as little as \$224.30 per month** while workers at the Simandou mine report **making as little as \$78 per month**
- in Morocco, workers report that Sodexo has created **"an atmosphere of fear and intimidation"** when workers have sought to form a union
- and in Colombia, a nation marred by fierce anti-union activity, Sodexo is believed to have **fired workers who sought to join a union**

You can read the full report on the TransAfrica website by clicking [here](#).

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SEIU Locals Press

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EXHIBIT 29



» Got a tip? Share it with us here. «

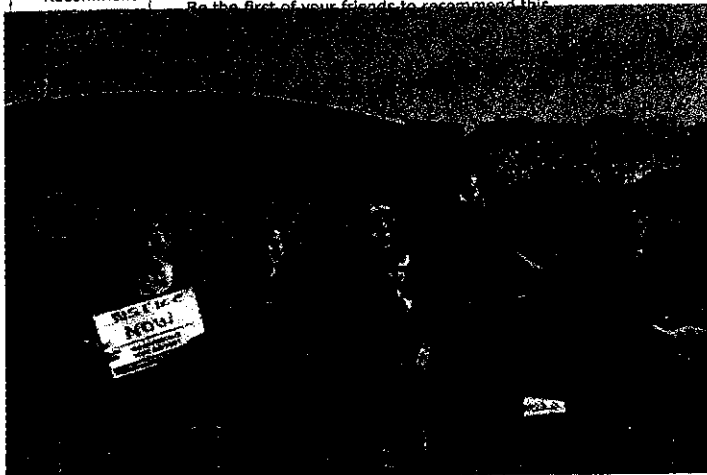
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Sodexo Workers Sign Petition

Fri, 03/26/2010 - 11:01 | Broadside EIC Emily Sharrer

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4
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Sodexo employees are petitioning for their right to join a union. (Emily Sharrer)

UPDATED 6:00 p.m.

Sodexo workers at George Mason University are in the process of gathering testimonies and signing a petition to demand more affordable healthcare options, better working standards and the right to form a union — an entitlement, which a group of employees alleges has led to hostile working conditions and harassment on the job.

"The reason why we are doing this is because we know that a lot of things that are being done by the company is against the rights of the workers," said Andres Ujueta, who works in Southside. "There are a lot of things that need to be taken care of."

Since last fall, workers for Sodexo across the nation have been petitioning to combat low wages, discrimination and other grievances against management at their respective working locations, and several weeks ago Mason Sodexo employees decided to join in the fight.

According to Fabricio Herrera, a lead organizer at the Arlington branch of the Service Employees International Union, or SEIU, Mason Sodexo workers have been discouraged by employers from joining a union, though the National Labor Relations Act guarantees workers the right to join unions without fear of backlash from employers.

According to charges filed with the National Labor Relations Board, across the U.S., Sodexo has illegally fired, surveilled and interrogated workers for wanting to form a union.

"What Sodexo workers across the country are looking for is a fair process to form a union," said Matt Painter, a spokesperson for the SEIU. "They're looking to form a union without harassment and without intimidation and a lot of times workers do have to protest and do petitions."

In January, the university renewed their contract with Sodexo, signing on with the company for

five more years.

Though workers at Mason only started signing petitions several weeks ago, at a gathering last Thursday, March 18, eight Mason Sodexo workers claimed they have been dealing with unfair working conditions for years.

"They try to intimidate us, telling us if we go and work for any union we could get fired or we will have to pay a huge amount of money to the union when we know that is not true," said Ujueta.

The main complaints of Mason Sodexo workers include cutting hours, harassment, discrimination and expensive health insurance options, which workers say eat up a significant amount of their weekly paycheck.

"A lot of people make \$8.50 an hour, if they pay out for health insurance they end up making a couple of dollars an hour," said Herrera.

Denise Ammaccapane, Sodexo's resident district manager at Mason, however, says the claims of the workers are unfounded.

According to Ammaccapane, the average hourly rate of Mason's 400 plus Sodexo workers is \$10.73 an hour.

"As far as wages, we pay competitively," said Ammaccapane. "We don't usually start anybody out above \$8.50 an hour and we pay as high as \$17-18 an hour. We definitely don't pay minimum wage."

Ammaccapane, who has been with Sodexo for 18 years, says benefits and services available to Sodexo employees is up to par.

"I personally think the benefit package offered to us is top of the line," said Ammaccapane.

"Nobody's forced to do anything [and] there are different options."

According to Ujueta, however, his paycheck does not match his workload.

"They are not focusing on the people that work in the stations, they are more worried about hiring supervisors to be in control of the people that work in the line; harassing them and pushing them and making us actually do the job of three people," said Ujueta.

According to Ammaccapane, the company has an adequate amount of employees.

"I would say at this point we are fully staffed," said Ammaccapane. "Are there days when several employees call out sick and people have to cover the slack? Yes. They are asked to do adequately what they need to do for their jobs."

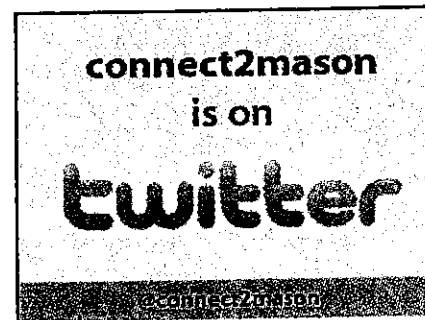
While no protests are planned, Herrera says the group's next action will depend on how the petition is received by Mason's Sodexo management.

"Everyday we are getting more and more workers [to sign the petition]," said Herrera. Ammaccapane stands by her open door policy as well as the right of Mason's Sodexo workers to unionize.

"Anything is open to anybody," Ammaccapane said of workers being able to join a union. "Nobody would threaten anybody."

"We were just rated number one company to work for as far as diversity out of 450 companies. That doesn't happen because we have bad practices. We do things by the book. I believe Sodexo is a great company and I have no issues."

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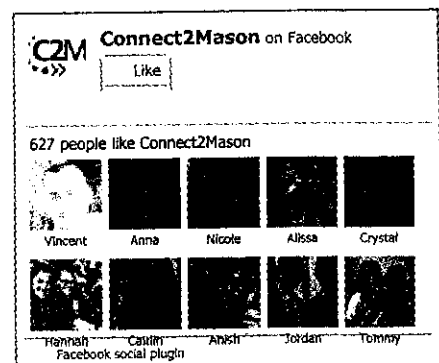


EXHIBIT 30

So Is Our Fight for Fairness

Changing Sodexo,
Changing Lives

SEIU

The campaign by Sodexo workers to win better wages and fair treatment is growing.

Eight unions in six countries—the United States, France, England, Colombia, Turkey and the Dominican Republic—are calling for a global agreement guaranteeing our right to form a union and improve working conditions.

We're also demanding that Sodexo stop intimidating workers who want to form a union—and that Sodexo reinstate with back pay all workers who have been fired, including seven in Colombia fired after attending organizing meetings.

"There is a lot of disrespect working at Sodexo. Our hours are reduced and our schedules changed without notice; they do not care that we need to pay rent, pick up our children on time or to use baby-sitters."—

Andres Ujueta,
Food Services Worker

"The cafeteria workers are part of our campus life and students won't just stand by while poor conditions and mistreatment exists."—

Jason von Kundra,
Student

Stop
Cinbal

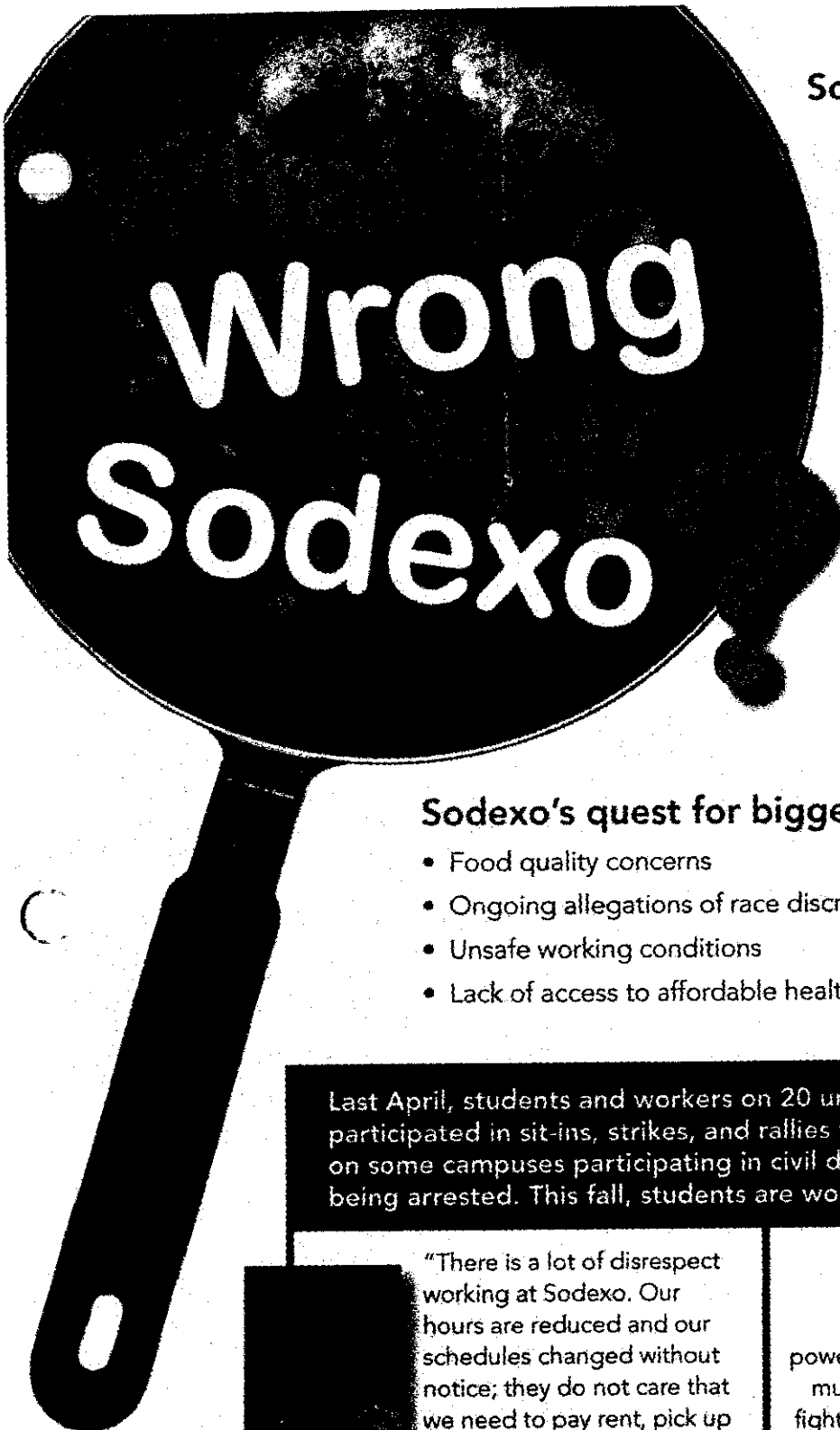
At U.S. campuses including Loyola University, Lafayette College, and the University of Pittsburgh, allegations that Sodexo is violating workers' right to form a union have been filed and are under investigation or have been settled.

Join your co-workers at George Mason in this fight.

Poverty: Served up by Sodexo.

CLEAN UP SODE O

EXHIBIT 31



Wrong Sodexo

Sodexo, the global food services company running the cafeterias at George Mason University earned more than \$1 billion in profits last year, but pays its U.S. food services workers as little as \$7.50 an hour—a wage that leaves families at least \$6,000 annually under the 2009 Poverty Guidelines for a family of four.

Sodexo's quest for bigger and bigger profits has led to:

- Food quality concerns
- Ongoing allegations of race discrimination and sexual harassment
- Unsafe working conditions
- Lack of access to affordable health care for workers

Last April, students and workers on 20 university campuses nationwide participated in sit-ins, strikes, and rallies to protest unfair treatment by Sodexo—on some campuses participating in civil disobedience which led to 35 people being arrested. This fall, students and workers are continuing the fight.

"There is a lot of disrespect working at Sodexo. Our hours are reduced and our schedules changed without notice; they do not care that we need to pay rent, pick up our children on time or to use baby-sitters."

Andres Ujueta,
Food Services Worker

"Our tuition dollars shouldn't go to a company that makes billions off of paying poverty wages. We have the power to demand accountability, and we must use it to act with workers who are fighting for a voice on the job. Students and workers deserve better from Sodexo."

Mary Yanik, Student,
Regional USAS Coordinator

Poverty: Served up by Sodexo.

Find out how you can help the workers who make Sodexo's profits possible win improvements for themselves, their families, and their communities.

Visit www.CleanUpSodexo.org



EXHIBIT 32

CLEAN UP SODEXO

Email Address	
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BLOG ABOUT US POOR MANAGEMENT QUALITY OF SERVICE MISPLACED PRIORITIES ANTI-WORKER RECORD MEDIA
 WORKERS HIGHER ED PARENTS EDUCATORS

EN FRANÇAIS

BREAKING NEWS: Sodexo Workers at George Mason University On Strike

Chris Schwartz 11:39 AM - April 15, 2010 | 0 Comments



In response to rampant mistreatment by food service contractor Sodexo, around 75 cafeteria workers at George Mason University went on strike today. The one-day work stoppage is in protest of Sodexo's attack on workers' right to raise their families out of poverty by forming a union with 32BJ SEIU.

"All we want is respect and to improve our lives but Sodexo management has only responded by intimidating and threatening us", says Andres Ujueta, one of the striking cafeteria workers at George Mason University.

Despite their dedication and hard work, GMU cafeteria workers earn a poverty wage—as little as \$8.65 an hour. With Sodexo's healthcare plan costing \$240 a month, most workers say they can't afford health insurance for their families.

Since George Mason cafeteria workers began forming a union, they have been subjected to harassment and intimidation by Sodexo management. Earlier this month, the workers voted to strike. Before taking this action workers have demonstrated their support to form a union by holding rallies and delivering petitions to Sodexo management.

Yesterday union leaders representing Sodexo workers in England and France met with George Mason cafeteria workers and students and were shocked at the conditions and treatment workers faced. [Click here](#) to read more about the visit of the global delegation to GMU.

We'll have more on this, including video and pictures, soon. In the meantime, you can check out a highlights video of yesterday's actions here:

TAKE ACTION

Spread the word about our campaign
 Tell Sodexo to respect workers
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FEATURED VIDEO



This Fall, Join the Growing Effort to Clean Up Sodexo

All CleanUpSodexo Videos

SEARCH

EXHIBIT 33

CLEAN UP SODEXO

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BLOG ABOUT US POOR MANAGEMENT QUALITY OF SERVICE MISPLACED PRIORITIES ANTI-WORKER RECORD MEDIA
WORKERS HIGHER ED PARENTS EDUCATORS EN FRANÇAIS

George Mason Strike Grows to 100

Brad Levinson 4:57 PM - April 15, 2010 | [0 Comments](#)

As night shift workers at George Mason University report to work, their strike has now grown to over 100 people.

The strike has received amazing coverage from the *Washington Business Journal* and GMU's newspaper, *Connect2Mason*, which reports:

"We want to be able to choose to have a union so we can defend our rights," said [Ana] Urias, who works at Jazzman's in the Johnson Center.

Around 1 p.m., the workers began marching to campus, where they gathered at the North Plaza with signs, that read "Sodexo Unfair, Clean up Sodexo," and shouting "Sodexo escucha!", "Si se puede!" and "Estamos listos!"

As readers of this blog know, Sodexo has been suppressing workers seeking to make this choice, which has led to 16 unfair labor practice charges filed in 8 states and spurred worker protests.

This afternoon, at least one campus food vendor had to shut down operations because of the strike.

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Categories: Blog | Tags: clean up sodexo, cleanupsodexo, george mason, george mason university, gmU, labor, sodexho, sodexo, strike, strikes, union, unions

TAKE ACTION

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This Fall, Join the Growing Effort to Clean Up Sodexo

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EXHIBIT 34

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Washington Business Journal - April 15, 2010
[/washington/stories/2010/04/12/daily52.html](#)

WASHINGTON BUSINESS JOURNAL

Thursday, April 15, 2010

Sodexo cafeteria workers strike at George Mason University

Washington Business Journal - by [Jeff Clabaugh](#)

Dozens of cafeteria workers at **George Mason University** walked off the job Thursday in protest over what they say is harassment by their Gaithersburg employer, Sodexo Inc., since agreeing to unionize.

Union leaders also say a number of George Mason students rallied with the Sodexo employees, about 100 of which took part in the protest, according to union spokesperson Julie Karant.

The union is also protesting what it says are low wages and high health insurance costs.

"Sodexo made more than \$1 billion in profits last year, and instead of paying workers what their families need, the company would rather use its immense resources to attack workers' rights," said Jamie Contreras, director of the 32BJ SEIU district.

Sodexo said the protestors represent a small portion of its workforce, and calls it part of an ongoing smear campaign by the SEIU against the company.

"We respect our employees rights as defined by our labor laws, and believe that most employees are very satisfied with their work experience at Sodexo, based on many third-party recognitions of the company as a great place to work," said Sodexo spokesman Alfred King in an e-mailed statement.

He also cited Sodexo's employee turnover rate, which he described as the lowest in the company's industry.

Sodexo has about 450 employees at George Mason University and 6,500 employees in the Washington region.

Earlier this week, Sodexo was **one of six companies listed** by Working Mother Magazine on its first annual list of best places to work for hourly employees.

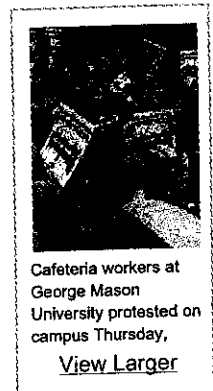
The one-day work stoppage at George Mason University is part of what the union called a national week of action, with Sodexo cafeteria workers and janitors participating in strikes in 11 states.

George Mason University officials said they are keeping an eye on the situation, but not involved in the employee matters.

Sodexo has about 450 employees at George Mason University and 6,500 employees in the Washington region.

"George Mason University is monitoring the current dispute between Sodexo and members of its workforce," said Dan Walsch, spokesman for the university.

"Mason views this as an internal matter for Sodexo. The university hopes the points of disagreement within Sodexo are resolved quickly and in a manner that is beneficial to all concerned. Presently, the dispute has not resulted in any disruption of services to our students and employees," Walsch said. "Mason remains committed to ensuring that these services continue."



Cafeteria workers at George Mason University protested on campus Thursday.
[View Larger](#)

EXHIBIT 35

We're back to school... and Sodexo's back to violating our rights... ENOUGH IS ENOUGH!



We've grown into a global worker campaign as unions in 8 countries are standing up to Sodexo's shameful behavior towards its front line employees.

We're demanding that Sodexo stop its unfair labor practices,
like intimidating workers who want to form a union.

On September 7th, Sodexo workers at George Mason University (GMU)
voted to walk off the job the next day
to protest workplace injuries and Sodexo's attempt to intimidate them.

More than 100 Sodexo workers are going on strike,
standing strong to win better jobs and respect.

CLEAN UP SODEXO!



Sylvia Plascencio,
Sodexo worker
Anaheim Regional Medical Center, CA

The Sodexo workers at GMU are
taking a stand for all of us.
We're ready to take a stand for ourselves
and every Sodexo worker
in this world wide struggle.



Maria Padilla,
Sodexo worker
Hollywood Presbyterian Hospital, CA

SEIU-USWW * 828 W Washington Blvd * LA

SEIU has a dispute with Sodexo, no other employer. No request to cease doing business or performing deliveries.